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STATEHOOD FOR HAWAII



HEARING
BEFORE THE
SUBCOMMITTEE ON
TERRITORIES AND INSULAR AFFAIRS
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE
EIGHTY-SIXTH CONGRESS
FIRST SESSION
ON
S. 50
A BILL TO PROVIDE FOR THE ADMISSION OF THE STATE
OF HAWAII INTO THE UNION

FEBRUARY 25, 1959

Printed for the use of the Committee on Interior and Insular Affairs



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959

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STATEHOOD FOR HAWAII

WEDNESDAY, FEBRUARY 25, 1959

U.S. SENATE,
SUBCOMMITTEE ON TERRITORIES AND
INSULAR AFFAIRS OF THE
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m. in room 3110, New Senate Office Building, Senator Henry M. Jackson (chairman of the subcommittee) presiding.

Present: Senators Jackson, Church, Kuchel, Carroll, Moss, and Goldwater.

Also present: Senator Gruening, Senator Bartlett, and Delegate John A. Burns, of Hawaii.

Staff members present: Richard L. Callaghan, staff director; Stewart French, chief counsel; and Michael J. Cafferty, subcommittee counsel.

Senator JACKSON. This is an open, public hearing on S. 50, a bill to admit the Territory of Hawaii into the Union as a State of the United States. This measure was introduced by the distinguished chairman of the Committee on Interior and Insular Affairs, Senator Murray of Montana, for himself and 54 other Senators of both political parties. The Senators sponsoring this Hawaii statehood bill are:

Senators Murray, Allott, Anderson, Bartlett, Beall, Bennett, Bible, Cannon, Carroll, Case of South Dakota, Case of New Jersey, Chavez, Church, Clark, Cooper, Curtis, Dirksen, Douglas, Engle, Frear, Goldwater, Green, Gruening, Hart, Hartke, Hennings, Hickenlooper, Holland, Humphrey, Jackson, Javits, Kennedy, Kuchel, Long, McCarthy, McGee, McNamara, Magnuson, Mansfield, Morse, Morton, Moss, Muskie, Neuberger, O'Mahoney, Pastore, Proxmire, Randolph, Saltonstall, Scott, Smith, Wiley, Williams of New Jersey, Yarborough, Young of North Dakota, and Young of Ohio.

I will direct that the text of S. 50, as introduced, and copies of the reports we have received from the executive agencies on it appear in the record of these hearings at the conclusion of the verbal testimony.

(The text of the bill and the executive agency reports appear as appendix A, which begins on p. 81.)

Senator JACKSON. Our usual procedure in starting such a hearing as this is to call on the members of the Senate first, and particularly on members of the committee, for any statement they desire to make. However, this morning the Secretary of the Interior has an appointment with the President, at 11 o'clock, and if there is no objection,

the Chair would like to call the Secretary as the first witness this morning, and to hear from him.

Before doing that, the Chair would like to repeat again the statement made earlier; namely, that we would like to confine the testimony in the hearing today to new testimony. I say that for the benefit of the witnesses who may testify other than those who represent governmental agencies.

Now, if there is no objection, the Chair will be delighted to hear from a long and stanch friend of Hawaiian statehood, the Secretary of Interior, the Honorable Fred Seaton.

STATEMENT OF HON. FRED SEATON, SECRETARY OF THE INTERIOR

Secretary SEATON. Mr. Chairman, first I should like to thank you, sir, for your understanding and graciousness in allowing me to be the first witness this morning in the light of the circumstances which I have to deal with today.

Mr. Chairman and members of the committee, I should like to emphasize in my testimony here today that I am grateful for this opportunity to appear before you in behalf of statehood for the Territory of Hawaii. Your chairman has asked that these hearings be limited to the presentation of new information pertaining to the admission of Hawaii into the Union as a State, and I am so limiting myself this morning.

Mr. Chairman and members of the committee, permit me to begin my testimony by expressing my thanks to this committee for permitting me to appear before you.

As you know, my statement in support of immediate statehood for Hawaii was presented to the 85th Congress on April 2, 1957, when former Under Secretary Hatfield Chilson appeared before you in my behalf while I was a hospital patient.

There can be no possible question concerning the position of the administration on Hawaii statehood. Since this Congress convened, the President has on several occasions urged the Congress to admit Hawaii into the Union as a State. You are dealing this year not with an enabling act but with an admission act. We of the executive branch wholeheartedly concur in this approach and recommend that the bill before you be dealt with as expeditiously as possible.

Mr. Chairman, my 1957 statement discussed briefly some of the history of Hawaii, particularly as it applied to the various efforts of Hawaiians to become more closely identified with the United States. It is, I believe, particularly important that these aspects of the Hawaiian cause be kept closely in mind when deliberating upon the current petition of Hawaii for full and equal membership in our Union of States.

The record is clear. For over 100 years people of Hawaii have been dedicated to the goal of complete union with our mainland. The accomplishment of their goal became inevitable with the annexation of Hawaii in 1900 as an integral part of the United States. To me, there can be no question properly raised as to whether Hawaii should become a State. The question is simply, When shall Hawaii become a State?

As a personal observation, I believe that the language we all use in referring to the admission of Hawaii "into the Union" is not tech-

nically correct. Hawaii is as much a part of this Union today as any State. As an incorporated Territory, and the only one we have left, Hawaiians are subject to all of the obligations imposed upon any citizen in any State by the Federal Government. The problem arises because they are presently denied some of the most precious prerogatives of freemen, among them equal representation and the right to vote in national elections.

The record is also clear on another aspect of the subject before you. Since the incorporation of Hawaii into the Union, Hawaiians have developed their islands at a rapid pace. Any part of the Hawaiian economy, culture, philosophy, or political institutions that is examined today will be found to be a duplicate of or modeled after the way of life in vogue in the continental United States. Hawaii is the picture window of the Pacific through which the peoples of the East look into our American front room.

This is and will be particularly important in our future dealings with the peoples of Asia, because a large percentage of the population of Hawaii is of oriental or Polynesian racial extraction. The participation of the people of Hawaii in the full measure of the benefits of American citizenship will bring a fresh, new, informed outlook to our councils. More significantly, the peoples of those eastern lands washed by the waters of the Pacific will look through that front window of ours and take renewed notice that we do, indeed, practice what we preach. There can be no finer way to demonstrate the dynamic nature of our Union and the everlasting validity of the principles upon which our Republic was founded than by the admission of Hawaii as a State in this session of Congress.

While I have mentioned the racial background of some Hawaiians, let me hasten to point out that it would be both unfair and totally inaccurate to conclude that the objectives of Hawaiian people are in any way foreign to those of any other American group. No conclusion could be further from the truth. The overwhelming majority of Hawaiians are native-born Americans; they know no other loyalty and acclaim their American citizenship as proudly as you and I.

Their economy is self-sustaining. Hawaii is adequately prepared, financially, for the burdens of statehood. More than a million tons of sugar, worth nearly \$150 million, are produced annually from over 200,000 acres of cane. Capital investment in this industry amounts to nearly \$200 million, of which \$50 million is in irrigation facilities alone. In sugar production techniques and per-acre production, Hawaii leads the world, and its hourly rated employees receive the world's highest year-round agricultural wages.

Hawaii also produces 85 percent of the total U.S. supply of canned pineapple products; which is to say 65 percent of the world's production. Pineapple production utilizes about 75,000 acres of intensely cultivated land, and provides employment for over 22,000 people annually. The annual value of the output, estimated at about \$115 million, gives pineapple second rank to sugar.

Although other specialty crops for export may be considered as minor in comparison to those already named, they add annually about \$10 million to Hawaii's gross income.

Aside from agriculture and the processing of farm products, a second major source of income for the people of Hawaii is the tourist

trade. In 1922 the total number of visitors was less than 10,000. As late as 1941, the peak prewar year, it was only 32,000. In my statement presented to you in 1957, we pointed out that 133,000 tourists visited Hawaii in 1956. We now can tell you that in 1957 it had reached a total of 169,000, more than 5 times the number of 16 years before. That 169,000, incidentally, represents the number of persons staying 2 days or more. They spent nearly \$80 million in Hawaii in that year, and thus put tourism next to sugar and pineapples as a source of income from private industry.

Most of Hawaii's economic possibilities are already well developed, and the Territory is already a taxpaying partner, carrying a full share of the burden of supporting the Federal Government. Federal internal revenue collections in Hawaii last year amounted to \$166,306,000, a figure higher than in 10 of the present States: New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, and Alaska.

The geographical area of Hawaii is comparatively small (6,423 square miles) although not so small as three of our present States—Rhode Island, Delaware, and Connecticut. The Territory is thickly settled, comparatively, with a population estimated in June 1958, at about 635,000—larger than that of 6 of the present States: New Hampshire, with 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, approximately 214,000.

In fact, Hawaii today has a greater population than that enjoyed at the time of admittance of any of the States—other than the Original Thirteen—with the single exception of Oklahoma.

It is with some difficulty that I proceed with the balance of my statement. When testimony is limited to new material, it is extremely difficult to approach the subject of what can, today, be stated as an argument against statehood for Hawaii. So far as I am aware, there are no new arguments against Hawaii. There are none which were not thoroughly discussed in this committee in 1957, and thoroughly considered by the full Senate when the Hawaii bill was passed in 1954. With the exception of one subject, I would venture to state that every argument that is currently raised against Hawaii was in fact raised during the debates which led to the incorporation of Hawaii into our Union as an organized Territory in 1900. Many of these same arguments were made in opposition to the admission of Louisiana in 1812, which, as the members of this committee will recall, was the first State to be admitted from territory outside of that embraced by the Original Thirteen States.

One argument against Hawaiian statehood, that of Communist infiltration, seems to demand explanation here today. Historically, even this is not a completely new subject in debate and consideration of statehood, because the question of loyalty to the United States has, indeed, been raised in regard to other States prior to their admission. Debate in the Congress as to the extent of French influence in Louisiana, and that of the Spanish-speaking people of New Mexico are significant examples. The Communist question, of course, presents a new ramification of the subject of loyalty not presented in the past, and that is whether any substantial segment of Hawaii actually is committed to a doctrine which advocates the violent overthrow of the very Government in which the overwhelming majority of Hawaiians seek to permanently become a full partner.

For myself, I believe that this committee and all advocates of Hawaiian statehood will squarely face the Communist issue.

The people of Hawaii have time and time again rejected completely the Communist philosophy and have thwarted every attempt of the Communist to influence their government.

The proposed constitution of the State of Hawaii contains a far-reaching prohibition against any Communist holding public office or public employment of any kind.

A perennial target of alleged Communists in Hawaii has been the law enacted by the 1949 Territorial legislature following a prolonged dock strike, which empowered the Territorial government to seize Hawaiian docks in the event of a strike. Notwithstanding four general territorialwide elections for the legislature, those laws are still on the books of Hawaii today. In each election the laws were an issue, and in each legislative session attempts have been made to repeal them. This is a prime example of the dogged determination of Hawaiians to stand firm on what they consider to be a matter of principle.

This committee needs no exposition of the rebuttals to the argument based on noncontiguity, upon the loyalty of Hawaiians, or upon the subject of whether approximately 635,000 people deserve equal representation. Normally, this last argument is directed to whether 635,000 people deserve to have two Senators when New York's almost 16 million, California's 14 million, and Pennsylvania's 12 million people have but two Senators. A succinct answer to the last argument can be presented by any student aware of the wise compromises agreed to in the Constitutional Convention by our Founding Fathers.

It helps, I believe, to keep the Hawaiian statehood movement in proper perspective. In my opinion, statehood for Hawaii will bring as much good to the other 49 States as it will to Hawaii itself. The admission of any fully qualified partner does strengthen the whole Union. As every one of the 36 States which have been admitted since the Original Thirteen entered, the Union has become more vibrant and has enjoyed at the very least a great moral uplifting.

We teach our children in our homes, churches, and schools to think in terms of fair dealing, and in terms of devotion to the principles of our Declaration of Independence and our Constitution. Hawaiians are teaching their children the same thing, but what will all this come to mean to these Hawaiian children if they witness again and again the denial of their petition for equal rights and privileges?

Gentlemen, in my opinion the major question before you is a question of when to take action. It is a moral question and one which raises serious implications throughout the world. It is my firm hope that the Hawaiian cause, which really involves a plea for simple justice, will be answered forthwith with the only remedy available—that which is granted by the Constitution to the Congress exclusively: the power to admit new States into the Union.

We have no other territory which is incorporated and ready for statehood, and Congress itself must first grant to any other territory the basic status of incorporation into the Union before any new apprenticeship can begin.

As you continue your deliberations, please feel free to call upon me or the personnel of the Department of the Interior for any information or assistance you may desire. We stand ready to assist in any way to bring about the immediate admission of Hawaii as a State.

Senator JACKSON. Thank you, Mr. Secretary, for your very fine statement.

Mr. Secretary, I was particularly interested in your statement with reference to the admission of Hawaii as it affects the Far East. I had the privilege of addressing the Territorial senate in Hawaii on Friday. At that time I said—

When Hawaii is admitted, it will come into the Union not just as the 50th State, but as our diplomatic State—our diplomatic representative, if you please—next door to over half the population of the world. Hawaii in the Pacific represents for America and the free world what West Berlin stands for in the Atlantic community—freedom. Hawaii is a living example of the real fruits of freedom. Here the Occident and the Orient have met in a climate of mutual trust, understanding, and respect. By precept and example they have given us in the Pacific the kind of environment which will have a great meaning throughout the Far East.

I don't think the impact of the formal admission of Hawaii as the 50th State can be overestimated in the field of foreign relations. Certainly there is nothing unusual about the fact that there are a lot of people from the Orient living in Hawaii. Hawaii was more or less the gateway to the west coast, the same as New York has been the gateway on the east coast to the people of Europe. All I can say is that I have the impression that maybe Hawaii will give more to the United States in improving our diplomatic posture throughout the world than any thing we can give to Hawaii. I say that because these arguments are made constantly about the number of orientals out there. I think it is wonderful. I think it makes it clear that America stands for freedom. We have demonstrated that the Occident and the Orient can live in the same community in a way where there is mutual trust, understanding, and respect. I say thank God for Hawaii, and the admission at this time is most opportune for the improvement of our standing throughout the free world.

Are there any questions of the Secretary?

Senator CHURCH. Mr. Chairman, I would just like to say I think it is very appropriate that Secretary Seaton should be the first witness in this hearing on this historic issue of Hawaiian statehood. I recall last year what great assistance the Secretary gave us in the fight to admit Alaska to the Union. I think his assistance continued from the opening day when the Interior Committee held hearings on the statehood bill, right through the battle on the floor of the Senate. He was always with us and his office was always open to us. From him and through his office we received much helpful information. I commend him, and I think, as I have said, it is very appropriate that he should launch the hearings this morning. I appreciate your statement very much, Mr. Secretary.

Secretary SEATON. Thank you very much, Senator.

Senator KUCHEL. Mr. Chairman, I observe in the committee room here this morning a number of young people, who, I assume, are students. Perhaps we may be able to revitalize what sometimes may be their waning faith in their Federal Government by what we do here today, and what I believe the Congress will do this session in respect to statehood for Hawaii. The Secretary of the Interior should be congratulated for repeating not only his unequivocal endorsement of statehood for a Territory whose people have enriched the theory of self-government, and who have given lavishly of their lives and

their fortunes in defense of American freedom, but in doing what he has done today.

I wish to observe, Mr. Chairman, that here is one place where the official pronouncements of the Republican Party, the party to which I belong, are precisely the same as the official pronouncements of the Democratic Party, to which my able colleague on my right, the chairman, belongs. Here is one instance where the pronouncements of both the Republican and Democratic platforms are precisely alike.

So I take it this is one instance where there ought to be a convincing unanimity among the members of Congress with respect to the problem of statehood for Hawaii. I am glad I can speak for the Republican side of the aisle in this committee to pledge unanimous support of this legislation.

I have one question. Some good but unmistakably mistaken citizens have suggested, Mr. Secretary, that statehood is hardly the answer for Hawaii's future, and to the contrary have recommended a commonwealth status for the Territory. I wonder if you would be good enough to indicate your own view with respect to that unhappy suggestion?

Secretary SEATON. Senator Kuchel, I think foremost we have to take into consideration the fact that the Hawaiians have not once but several times unmistakably registered overwhelmingly their desire to become a State and to enjoy the full privileges of American citizenship. As I pointed out in my statement, the people of Hawaii now bear all of the responsibilities of American citizenship—they are denied none of the responsibilities or any of the burdens—but they are denied one of the greatest prerogatives of citizenship which is the right of suffrage. We have the rather strange situation where under the Constitution a citizen of Hawaii could conceivably become President of the United States because he is a citizen. He could not vote for himself and neither could any of the fellow citizens in Hawaii support his candidacy.

The argument on the commonwealth status is completely dissipated because of the fact that the Hawaiians do not want it. They want statehood. If we were to give them or try to force upon them the commonwealth status, we would still have denied them those choice prerogatives of citizenship for which they have yearned so long for so many years.

Senator KUCHEL. I think that is an excellent comment. Is it not also true, for what little it may be worth, that the commitment made to the American people—and incidentally to the people of the Territory of Hawaii—in the political platforms of both parties would, of course, be breached if anything less than equality and statehood were given to the Territory by this Congress?

Secretary SEATON. Yes. I would completely agree with the Senator on that point.

Senator JACKSON. Senator Goldwater.

Senator GOLDWATER. Mr. Chairman, I want to take this opportunity to commend the Secretary for his usual excellent presentation. But I think it is far more important this morning that the presentation he made was made. It was short, it was concise, it was to the point.

I can't conceive of any American reading that or hearing it and not becoming convinced immediately of the desirability of admitting Hawaii as a State.

There are three of us at this table who lived in a Territory. We know something about the bitter fight that was staged under Territorial status. While I was quite young when my State became a State, nevertheless I can recall vividly the bitterness that existed, and still does to some extent, over the arguments against Arizona being admitted to the Union. Therefore, I came to the Senate 7 years ago with my mind made up about Alaska and Hawaii. It has been my privilege to have voted for Alaska. I certainly intend to do everything I can to see that Hawaii also becomes one of our States. It is no longer a matter of politics as it once was, fortunately. I think it is a matter of common decency and honesty on the part of the people of the 49 States to recognize their brothers in this one remaining Territory. I intend to vote for this and I intend to do everything I can to convince my colleagues of the wisdom of admitting this splendid group of people.

Mr. Chairman, I close by again thanking the Secretary for his very fine presentation.

Senator JACKSON. Are there any further questions of the Secretary? If not, Mr. Secretary, I understand that Mr. Stevens and other members of your staff will be available during the hearings to assist in connection with any technical questions that may arise later.

Secretary SEATON. Absolutely, Mr. Chairman.

Senator JACKSON. We thank you very much for your cooperation and your very fine statement.

Senator CARROLL. I have just one question, Mr. Secretary. How many other Secretaries of Interior have made this recommendation about statehood for Hawaii?

Secretary SEATON. Senator Carroll, I recall four. There may have been more. I recall four.

Senator CARROLL. Dating almost since 1946-47.

Secretary SEATON. I think that is right.

Senator CARROLL. That is the last 10 years.

Secretary SEATON. Yes, sir.

Senator CARROLL. So this is really a nonpartisan effort. We have had both Democratic and Republican administrations who have been urging statehood for the last 10 years to my knowledge. That is also your recollection, is it not?

Secretary SEATON. That is right, Senator. I believe, as I think you do, this is a moral question and not a political one.

Senator JACKSON. Thank you very much, Mr. Secretary.

Secretary SEATON. Thank you, Mr. Chairman.

Senator JACKSON. I have just received word from Senator Murray through his office that he is out of the city and our distinguished chairman regrets very much not being able to be here this morning. I will direct that the very clear and informative statement he made upon introducing the Hawaiian statehood bill into the Senate on January 9, 1959, be made a part of the record at this point.

(The statement referred to follows:)

REMARKS OF SENATOR JAMES E. MURRAY (DEMOCRAT, MONTANA), CHAIRMAN OF THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, UPON INTRODUCTION OF S. 50, STATEHOOD FOR HAWAII, JANUARY 9, 1959

Mr. President, I send to the desk for appropriate reference a bill to admit the populous and prosperous American Territory of Hawaii into the Union as a State of the United States. Appropriately, I have requested that the symbolic number S. 50 be assigned to this measure.

Joining me as sponsors of this historic legislation are more than 50 distinguished Senators from both sides of the aisle.

It is significant that this list of sponsors includes so many able Senators from both parties. This year, as in past years, Hawaii statehood is a bipartisan and a nonpartisan cause. It has had the support of President Eisenhower as it had of Presidents Truman and Roosevelt.

Mr. President, legislation on statehood for Hawaii has been before the Congress of the United States, off and on, for four decades, beginning with H.R. 15865 in 1919 in the 65th Congress. Hearings and investigations of the issue by Congress began in 1935, when the Honorable Samuel W. King, who was then the Delegate from Hawaii and subsequently became Territorial Governor, persuaded the House Committee on Territories to appoint a subcommittee to visit the islands. That group made the first of a long, long series of investigations and held hearings on statehood for Hawaii. During the past 20 years 18 more hearings have been held, and out of this number, all but one have concluded with a favorable report.

For the last 12 years, the Interior Committee of the Senate has had a Hawaii statehood bill actively before it, and, beginning with the 80th Congress, has considered it actively in each and every Congress during that period. In 1950 we held the first of a series of extensive public hearings on Hawaii statehood. The bill before us then was H.R. 49, and, after exhaustive committee work, we favorably reported that measure to the Senate, with amendments.

In the 82d Congress we held executive hearings on S. 49, and again favorably reported it to the Senate.

In the 83d Congress two sets of public hearings were held in Washington after an on-the-spot inquiry conducted by the then committee chairman, Senator Hugh Butler and two members of the staff on each of the Hawaii Islands. The committee then reported the measure to the Senate, where it was subjected to full-scale debate for a month. The amended measure passed the Senate.

The measure I am now introducing is substantially the same measure that was the subject of such careful and painstaking scrutiny by the committee in 1953 and by the full Senate in 1954, except for approval of the Hawaiian State constitution. In marked contrast with the Alaska bill, upon which we acted so notably last year, no new proposals have been presented, nor new problems arisen, since that time.

However, in the 84th Congress we held hearings on S. 49, which, as noted, was in its substantive provisions the same as the bill passed by the Senate in the 83d Congress.

Again, in the 85th Congress, hearings were held by the Subcommittee on Territories under the able chairmanship of the distinguished Senator from Washington [Mr. Jackson] on S. 50, and the measure was reported to the Senate with technical amendments and clarification changes. Two members of the committee, the Senator from Colorado [Mr. Carroll] and the Senator from Idaho [Mr. Church] conducted field investigations in Hawaii during the recess. Both are enthusiastic supporters of statehood and are cosponsors of this measure.

I cite this long and impressive legislative history, Mr. President, only to emphasize that the facts and issues concerning statehood for Hawaii already are well known. A most complete record is before this body.

I cannot believe that any public purpose would be served by long and protracted public hearings. However, I do urge that hearings be held, but that they be limited, as far as possible, to new material or to the reception of the views of those persons in opposition to Hawaiian statehood.

Mr. President, I have been a student of statehood for Hawaii for many years, and recently made a personal inspection trip to the Territory on behalf of the committee. I visited all of the islands of the Territory, and talked with persons in all walks of life and of various political persuasions.

From my long study and my personal findings, I am convinced that the 600,000 American citizens of Hawaii meet each and every one of our historic tests of readiness for statehood and fitness for it. The overwhelming majority of the people want statehood and are ready, willing, and able to support it.

I am equally convinced that statehood for Hawaii would be in the best interests of the Nation as a whole.

Granting statehood to Hawaii will be in the historic tradition under which we have grown great as a Nation.

Senator JACKSON. The Chair has received requests from members of the committee who would like to make a statement on Hawaii. I will call them in the order they have been submitted.

Senator Church.

STATEMENT OF HON. FRANK CHURCH, U.S. SENATOR FROM THE STATE OF IDAHO

Senator CHURCH. Thank you, Mr. Chairman. I should say at the outset, Mr. Chairman, that during the month of November my colleague and fellow member of this committee, Senator Carroll, of Colorado, and I, had an opportunity, together with three Members of the House of Representatives, to make an informal investigation of the statehood question through a visit to the islands. I would like at this time, inasmuch as no formal report has been submitted to the Senate, to read this statement into the record, for it is in the nature of a report on that visit.

Mr. Chairman, we are fast approaching the time of decision on whether Hawaii is to become our 50th State. That decision should be made in this session of Congress.

If our answer is "yes," then we will have welcomed in, as an integral part of our country, the last of our incorporated Territories. Statehood will confer upon the people of the islands, long since citizens of the United States, fundamental rights of self-government equal to our own. They will then elect their Governor, as we do ours; they will then be entitled to two U.S. Senators and a voting Representative in the Congress; and they will participate with us, every fourth year, in the election of the President.

But if our answer should be "no," let no one be deceived that Hawaii will remain indefinitely an American Territory. To be neither in nor out, but to stay a colony, is no more acceptable to our fellow Americans in Hawaii than it was to our own forefathers. They were subjects of the English King; they bore arms in his defense, and paid the taxes he levied upon them. Again and again, they petitioned him, through his appointed governors, for redress of their grievances, but he refused to grant them more than limited rights of self-government. So their call to reason, "No taxation without representation," became, at last, a call to arms.

Yet, despite this national birthright, we are today denying our fellow citizens in Hawaii many of the same prerogatives refused our forefathers by George III. In 1957, the Hawaiians paid over \$150 million in Federal taxes, a larger total than several of the existing States, but Hawaii had no representation in Congress to vote either on how much tax should be collected, or upon how the money should be spent. In time of war, Hawaiians shoulder arms with the rest of us, yet they cannot vote for the President who shapes their foreign

policy, or for representatives in Congress who together hold the purse strings over their defense.

To remedy these inequities, the people of Hawaii want statehood. They are tired of standing, hat in hand, at the door of our Union. But what we must understand is this: If we refuse to let them further in, they will, in due course, demand to be let further out.

That we actually face a choice between these alternatives, my recent visit in Hawaii has convinced me. There I was privileged, as one of five Members of Congress from the Interior Committees of both Houses, to conduct a joint investigation of the statehood question. The House committee was represented by B. F. Sisk (Democrat, California), E. Y. Berry (Republican, South Dakota), Leo W. O'Brien (Democrat, New York), while my colleague, Senator John Carroll and I represented this committee of the Senate. We talked with hundreds of Hawaiians from all walks of life. We listened to every argument, pro and con. The consensus of this opinion, together with the most current information we could gather about social, economic, and political conditions in Hawaii, left me strongly persuaded the islands are ready for statehood, and we had best admit them now.

There is no doubt but what the vast majority of Hawaiians favor statehood. Even before Pearl Harbor, a plebiscite showed the population endorsing statehood by a margin of 2 to 1. Since then, support for statehood has steadily grown stronger. In 1950, a proposed Hawaii State constitution was approved by the people of the Territory by a vote of more than 3 to 1. Today I would judge that the Hawaiians want statehood fully as much as did the Alaskans, who, a short 6 months ago, proved their sentiments when five out of six voted to ratify the bill admitting Alaska as the 49th State.

The proponents of Hawaiian statehood believe their case just as deserving as was that of Alaska. Indeed, the islands' economy is far more developed. Sugar and pineapple are produced in abundance by the best paid field workers in the world. The exports of Kona coffee are increasing. On the big island of Hawaii itself, the 300,000-acre Parker Ranch is next to the world's largest for Herefords, while to every island the tourists come in burgeoning numbers, beckoned by the gentle trade winds, in quest of the dazzling beaches and inviting waters. Hawaii, for all its tropical beauty, is bustling and prosperous. No one can charge it with being a "poor relation."

In other ways, too, Hawaii meets all the traditional tests for statehood. Its population of over 550,000 exceeds that of five present States, and closely approaches that of my own State of Idaho. Its islands comprise an area of 6,423 square miles, making it larger than Delaware, Rhode Island, or Connecticut. Those who remonstrate that Hawaii is "too remote," fail to reckon with the age we live in. From Boise, the capital of my State, Honolulu can be as quickly reached by air as Washington, D.C.

Finally, the loyalty of the people of Hawaii has been proven in the hardest of tests. Americans of Japanese ancestry constitute more than a third of the population of Hawaii. Yet, when the Japanese torpedo bombers devastated our Pacific Fleet at Pearl Harbor, and the threat of imminent invasion haunted the islands for months following, not a single act of sabotage was ever traced to a resident Japanese-American. Rather, the young Japanese volunteered by the

thousands for Army service. In the Italian campaign, their casualties were so heavy that their famous outfit was dubbed "the Purple Heart Battalion," winning seven separate Presidential citations for valor.

It is true that Hawaii is the melting pot of the Pacific. The people are a polyglot mixture of native Hawaiian, Caucasian, Japanese, Filipinos, and Chinese, and crosses between. But it is also true that Hawaiian life and culture, though it clings naturally to many happy phrases, songs, and customs out of its colorful past, is nevertheless essentially American. The cities, the stores, the homes, the streets, and schools, all bear the unmistakable stamp of the United States.

We met with public officials and private citizens alike, with teachers and students, with judges and housewives. We talked with businessmen and labor leaders. I had a morning's conference with the presidents of "the Big Five", the dominant commercial interests that were once opposed to statehood, but now favor it.

When we left the islands, I came away convinced that the interests of our country urgently require that statehood be no longer denied Hawaii. Already a Commonwealth Party has been activated there. I talked with several of its leaders, who would like to see Hawaii set loose from the United States, absolved of all federal taxes, and granted full rights of self-government, while the people retained for themselves American citizenship and the continued protection of the American Flag. Patterned after the British system, the Commonwealth idea is alien to our American tradition of building one nation, rather than loose-knot empire.

Today, this Commonwealth Party is small. The people of the islands are not seeking such a "free ride." But if statehood is refused Hawaii, the commonwealth idea will grow rapidly. I shall not forget the parting word of one prominent commonwealth proponent. "Senator," he said to me, "right now, the people of these islands want statehood. If you refuse it, they will turn to our solution, and the time will come when you will have to recognize the independent Commonwealth of Hawaii."

To us on the mainland, facing westward toward an Asia awakening from its ancient slumbers, Hawaii is much too vital not to be made an inseparable part of the United States.

Senator JACKSON. Thank you very much, Senator Church.

Senator CARROLL?

STATEMENT OF HON. JOHN A. CARROLL, U.S. SENATOR FROM THE STATE OF COLORADO

Senator CARROLL. Thank you, Mr. Chairman.

First of all I want to comment on the very excellent presentation by the Senator from Idaho, Mr. Church. We were in Hawaii last November, Senator Church and I, and we met three members of the House, Representatives O'Brien of New York, Representative Sisk, of California, and Representative Berry, of South Dakota.

I think at this time we ought to put into the record the report of the House Members. This is report of a special committee of the Committee on Interior and Insular Affairs of the House of Representatives, 85th Congress. It is a very excellent report and I hope will

be read by every Member of the Senate. It should go into the record because it will have great historical significance, too, for students who read this someday in the future.

Senator JACKSON. Without objection, the report, submitted by Congressman Leo O'Brien, will be included in the record at this point.

(The report referred to follows:)

HAWAII STATEHOOD

Report of a Special Subcommittee of the Committee on Interior and Insular Affairs, House of Representatives, 85th Congress, 2d Session, pursuant to House Resolution 94

Pursuant to authority granted the Committee on Interior and Insular Affairs by House Resolution 94 (85th Cong.), the undersigned members of the Subcommittee on Territorial and Insular Affairs visited the Territory of Hawaii during the period November 24 to December 8, 1958, to make intensive inquiry with respect to H.R. 49 (85th Cong.) granting statehood to the Territory.

On the basis of comprehensive and exhaustive study, including numerous interviews with a complete cross section of the population of the Hawaiian Islands, your subcommittee believes that Hawaii is entitled to statehood by every fair test and precedent.

This area of our Nation, last incorporated Territory under the American flag, has been in training for statehood for 60 years. In 1898 it became a firm and irrevocable part of the United States. Its people are our people. Its philosophy is our philosophy. Its loyalty, like its language and currency, is identical to ours. Its servicemen are our servicemen, and its flag is our flag. Except for the full flowering of the voting franchise, these people are us. They may travel anywhere in the 49 States.

Hawaii has been denied statehood in the past by close margins in the Congress of the United States. With the admission of Alaska as the 49th State, it would be unthinkable to delay further the fruition of Hawaii's magnificent dream of statehood and its demonstrated capacity for, and right to, full brotherhood in the Union of States.

Your subcommittee brought neither a whitewash brush nor an ax to its survey task. We met head on, and with objective eyes and ears, the vexing and controversial subject of communism in the islands, an issue which has been raised before and, we know, will be raised again in Congress.

Each member of our committee arrived in Hawaii with an open mind, prepared to recommend against statehood if he developed serious doubt about the loyalty and political maturity of the people, or their ability to cope as adequately with communism as do the people of the 49 States.

We deliberately decided against public hearings for two reasons. The files of Congress are jammed with the records of such hearings, some of them very recent, and all the testimony therein was available to us. The questions we desired to ask could be answered best by going into the highways and byways among the people. That is why we deserted hearing rooms for homes and street corners, labor halls and business marts, schools and churches, professional groups and law-enforcement agencies, farmers and politicians, chambers of commerce and veterans' organizations.

Among all these we found our answers. From these people, literally thousands of them, we received assurance that they recognized their problems and were able and willing to solve them now and when they don the coveted mantle of statehood. We found them ready to admit that communism in the islands existed, but we learned that they abhor it as we do and are meeting its evil challenges as capably as do people and government in the 49 States.

During most of our 15-day inquiry in Hawaii, two members of the Senate Committee on Interior and Insular Affairs were engaged in a similar inquiry. We exchanged information with them, but we cannot, of course, include their conclusions in this House document.

Among the individuals and organizations with whom we conferred were the Governor of Hawaii, the Federal Bureau of Investigation, IMUA, officers and members of the ILWU, the head of the Territorial Subversive Activities Commission, the Honolulu Chamber of Commerce, the statehood commission, members of the Federal and Territorial judiciary, members of the Territorial legislature,

representatives of the Democratic and Republican Parties, top officials of the sugar and pineapple industries, ranking members of our Armed Forces in the Pacific, members of the faculty of the University of Hawaii, and countless others.

With the exception of the FBI, which was not requested to take a position, these representative and highly placed and knowledgeable people were predominantly for statehood and convinced that all existing and future problems could be handled thereunder.

Underscoring the scope and thoroughness of our study, we list below the organizations represented by two or more members which met with us at a session on the island of Maui. The list follows:

East Maui Community Association	Maui League of Republican Women
Haleakala Lions Club	Maui Merchants' Association
Hawaii Government Employees' Association	Maui Outdoor Circle
Hawaii Postal Employees' Association (Maui chapter)	Maui Planters Association
ILWU Local 142	Maui Rotary Club
Kahekili Chapter No. 4, Order of Kamehameha	Maui Teachers Association
Kahului Business & Professional Association	Maui Toastmasters Club No. 910
Kahului Kiwanis Club	Maui Toastmistress Club
Kahului Lions Club	Maui Young Democrats
Kahului Rotary Club	Maui Young Republicans
Kamehameha Alumni Association	Puunene Community Association
Kihei Community Association	Republican Party
Lahaina Improvement Association	United Public Workers
Maui Chamber of Commerce	Wailuku Improvement Association
Maui County Committee on Children and Youth	Wailuku Professional and Businessmen's Association
Maui County Medical Society	Club 100
Maui District Nurses Association	DAV
Maui District PTA	Maui AJA Veterans Club
Maui Junior Chamber of Commerce	442d Veterans Club
	West Maui Veterans Club
	Hawaiian Airlines
	TPA Aloha Airlines
	Farmers' Home Administration

OTHERS

Harold W. Rice, senator from Maui County for six terms.
 R. R. Lyons, chairman, Maui Economic Development Association.
 C. H. Burnett, Jr., manager, Kahului Railroad Co.
 W. J. Lanquist, Bishop National Bank, Kahului branch.
 Jack Vockrodt, Bank of Hawaii, Kahului branch.
 Donald H. Tokunaga, general manager, Budget Finance Plan.
 Mrs. Ben Baker, public relations, Girl Scouts.
 James Ohta, Maui Scout executive.

PRESS

Charlie Young, Star Bulletin.
 Jack Teehan, Star Bulletin.
 Hank Sato, Maui News.
 Lou Head, Honolulu Advertiser.

Your committee took a long look at the effect of communism in the islands since communism is the prime target of many of those opposing statehood.

We were told by those in positions to know there was no evidence to indicate or prove that those men and women who had previously been named by congressional committees or convicted in the Federal court under the Smith Act, of being Communist or affiliated with the Communist International had changed their Communist status or connections. None of them had even offered to go before any Government official, either of the Federal or Territorial Government, disclaiming such previous connections or beliefs.

On the other hand, Jack Hall, regional director of the ILWU, named in all committee reports as having been a card-carrying Communist and member of the Communist International and who, with five others active in ILWU, was indicted and found guilty in Federal court of violation of the Smith Act, making it a criminal offense to advocate and teach the overthrow of the Government by force, told your committee that he and the other members of the ILWU

would take an oath they had not been affiliated with the Communist International for the past 5 years. It is, however, interesting to note that he had offered none of his services, knowledge, or information either to the FBI or to the subversive activities committee of the Territory.

In fairness, the committee also wishes to point out that the ILWU organization maintains not only a well-staffed and well-equipped main office in Honolulu but a county office on each of the island subdivisions with a staff of several employees, a labor hall with dormitory and recreational facilities. It has a representative in each district or plantation whose job it is to maintain close contact with workers and members of the organization. These district officials meet on union business in Honolulu every 60 days—one of which meetings we attended. These meetings, in addition to the publications of the organization, are an effective means of transmitting and distributing union ideas, ideals, and purposes throughout the islands. They could be made use of for political purposes, purposes of propaganda, etc.

The committee was informed, however, that known Communists had not been elected to high Territorial offices. Union support seems to have gone primarily to liberal candidates, and in instances, without seeming regard to political affiliation of the candidate.

On the other side of the coin, it should be pointed out that no present State in the Union is attempting to do the kind of effective anti-Communist work that is being done on the islands. The Territorial legislature has authorized and established a Territorial subversive activities committee which reports to but is not subservient to either the Governor or the legislature. It is headed by William B. Stephenson. Cooperating with the FBI they have complete files on all named and known Communists and have complete information on subversive activity.

In addition, there is an organization of patriotic men and women known as IMUA with the dedicated purpose of keeping the public informed on anti-American activity. It has an office, a staff, all available information and files and, through use of the radio, television, and newspapers, keeps the public informed, not only as to activity of Communists and the threat of communism but also on facts concerning the activity of those known to be or to have been connected with the Communist movement. It is probably safe to say that the public in Hawaii is kept better informed on the threat of communism than is the public in any similar community on the mainland.

There are about 25 identified Communists in Hawaii. We have no exact knowledge as to the number of so-called fellow travelers but investigating agencies told us they know of no additional Communists since the previous congressional reports. We were unable to find any evidence in the social fabric of Hawaii that communism had made any substantial progress or that the community as a whole was unable and unwilling to cope with the problem.

We were told that the FBI investigations, plus the Federal court convictions, had "crippled" the Communist apparatus in Hawaii and that, with the continued white light of publicity and the alert citizenry, it would remain crippled.

We were also told that no proof exists of Soviet espionage contacts on the part of Communists in Hawaii.

We would like to be able to report that the day is imminent when there will not be a single Communist in Hawaii, but that would be the utopia which our States also desire but cannot achieve.

The important question is whether the communism which exists can and will be controlled. We so believe.

The economic control of the islands by the ILWU, some leaders of which have been identified in the past as homegrown or mainland-imported Communists, goes without saying. That union, with more than 20,000 members, can and has tied up the civilian docks. It can and has idled the sugar and pineapple industries, arch stones of the island's economy. The question is whether that power can or has been used for bargaining or subversive purposes, or both.

We deplore the stupidity of the political strike which was called by ILWU leaders 2 years ago when the Eastland committee went to Hawaii for hearings on communism. It should be noted, however, that two-thirds of the ILWU workers refused to engage in that strike. It was stated to us, moreover, that some of those who did strike felt they were protesting, not the Communist inquiry but what they regarded as an antilabor move.

We cannot pass judgment on the motives of those who did strike nor can we minimize the danger of any political strike. However, it should be noted that the crippling of the islands' economy, regardless of motive, would be as harmful to

the interests of Hawaii and the mainland whether Hawaii were a State or a Territory. We should point out that some labor unions in some strategic parts of the United States have power to cause economic havoc and that, in a few instances, certain leaders in those unions have been identified as Communists.

Our committee, from past experience, knows that the major argument against statehood for Hawaii will be, as it has been in the past, the contention that the Communist apparatus in Hawaii, especially that part linked with ILWU leadership, is so powerful that, in the event of statehood, it could and would be able to elect to the governorship, the legislature, the courts, and the U.S. Congress Communists or persons soft toward communism. One Member of Congress has stated that three or four Soviet agents would be elected to Congress.

With this we must disagree sharply. The voters of Hawaii would never permit that to happen.

The ILWU, it is conceded, is a strong political force, comprising about one-ninth of the labor forces on the islands. Its leaders have engaged in political activities, backing and opposing candidates and issues.

It is true that ILWU-endorsed candidates have been elected, but in many instances they would have been elected without the support of ILWU leaders because of their general popularity.

The ILWU fought tooth and nail against the proposed Honolulu city charter, but it was approved by 4 to 1.

The ILWU opposed vigorously the Territorial law permitting seizure of the dock fronts by the Government. The legislature enacted it anyway. The union repeatedly sought its repeal and failed.

In the most recent elections numerous ILWU-backed candidates, some of whom were union leaders, were soundly defeated. In other instances the ILWU sought to "fatten its batting average" by endorsing candidates who were sure to win anyway. Despite this strategy, the union made a poor showing.

We are convinced that where a community or a State is dominated by Communists or has a substantial number of Communists their efforts show up in the vulnerable field of education. We spent many hours in the schools of Hawaii, from the elementary schools to the colleges. If the Communists sought to plant their evil seed there, it fell on extremely barren ground. That was attested to by our own observation and the solemn assurances of educators and clergymen.

During our visit to the University of Hawaii, we spent considerable time with the president, some regents, and some faculty members. We learned that most of the faculty came from colleges on the mainland, all the way from the west coast to the east coast. We asked these men the straight question:

"Have you found your student body receptive to or aligned with communism?"

This was the answer:

"We find less interest in communism in the University of Hawaii than in most of the mainland colleges, particularly in the East."

Because of claims in some quarters that because of the oriental strains in the mixed population of Hawaii the people are less loyal to the United States than are their fellow citizens on the mainland, we looked closely into that subject.

We, all of us, saw and met in Hawaii an intelligent, gentle, loyal people of whom our Nation should be proud. We saw the actual operation, without strain or stress, of the American "melting pot" of which we speak so proudly and do so little to achieve in some of our larger mainland cities.

If the races on the mainland, races stemming back ethnically to other lands, were to mix as successfully as they already have in Hawaii, our democracy would be advanced by a century.

It is absurd to question whether the people of Hawaii would be loyal in the event of some future war or disagreement with nations from which they have their ethnic strains. It is absurd because the test has already come and been weathered magnificently. Proof of the loyalty of these people is written in bloodshed on the battlefield, in battle stars, in the records of military intelligence and the FBI. It is written on the gravestones of countless military dead.

All the members of your committee had important roles in the 85th Congress in winning statehood for Alaska. Admission of that 49th State, after years of frustration, greatly simplified our work in Hawaii and lessened our task in preparing this report, because—

1. No longer is it necessary to answer the contention that 575,000 people in Hawaii should not have the same number of U.S. Senators as existing States,

such as heavily populated New York, California, and Pennsylvania. We gave the 212,000 people of Alaska 2 Senators.

2. We do not have to answer the possible claim that Hawaii might not be able to support statehood economically. Hawaii is much more advanced economically, as of now, than is Alaska.

3. Creation of the 49th State out of the Territory of Alaska ended the alleged precedent that we should not admit as States Territories noncontiguous to the other States. Many miles of foreign land lie between the first 48 States and the new 49th.

We found little sentiment for commonwealth in Hawaii, less than in Alaska prior to statehood. We believe the people of Hawaii, except for a rather articulate minority, favor statehood by at least as wide a margin as did the people of Alaska, who voted 5 to 1 for statehood last fall.

When a Territory seeks statehood, as now does the last remaining incorporated Territory under the American flag, it is fair to ask what the new State will have to offer the rest of the Nation. We spoke of oil and other largely undeveloped resources when we were asked the same question about Alaska, but we believe our greatest resources are our human resources, abundantly present in Hawaii.

We believe that admission of Hawaii, with its mixed races and its geographical position, will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly.

This is the considered opinion of the military men in charge of our vital interests in the Pacific. They, and we, know what those 800 million people in the Pacific area will say if we deny statehood to Hawaii after granting statehood to Alaska.

They will say that our protestations of regard and friendship are untrue and that we have denied full brotherhood to American citizens because many of them come from the same ethnic lines as those we call friends in an area vital to our very existence as a nation.

Your committee went to Hawaii in an objective mood. We performed our task as best we could. We know all the difficulties and dangers. But we also know the people who will administer the new State. Calmly and soberly, we urge that the 86th Congress, as soon as possible, place in the flag a 50th star called Hawaii.

Hon. LEO W. O'BRIEN, *Chairman.*

Hon. B. F. SISK.

Hon. E. Y. BERRY.

Senator CARROLL. I think there have been some 20 hearings on Hawaii statehood. When our group went to the Territory last fall, we developed a new technique. We decided not to hold public hearings. We determined that we would go out on the highways and byways, as Senator Church has explained. In the words of this committee—

We deserted hearing rooms for homes and street corners, labor halls and business marts, schools and churches, professional groups and law-enforcing agencies, farmers and politicians, chambers of commerce and veterans organizations.

As a matter of fact, Representative O'Brien and I, at the very time Senator Church was meeting with the presidents of the Big Five, were down talking to the FBI. We wanted to find out about the Communists, find how many were in the Hawaiian Islands. The report indicates the results of that conference. We were told that there were 25 known Communists. They are Marxists, with no connection of any counterespionage, insofar as they knew.

We explored this concept of communism. I want to say for the record that it was in the 80th Congress, now almost 12 years ago, that we voted for Hawaiian statehood. It passed in the House at that time. I think it has passed two or three times since. But Hawaiian statehood has always been caught in one unfortunate controversy or

another. In those days they questioned—I say “they,” some—questioned the loyalty and patriotism of the people of the Hawaiian Islands. The overwhelming evidence was that they are loyal patriotic people, with a wonderful war record. The Korean war again was a demonstration of a wonderful war record of these people coming from the islands.

Then the islands got caught in a great strike and a committee from the Senate investigated. Again rose the specter of communism in the islands. All the problems raised by these events have now been answered by investigation, by intelligent people in this country and in the islands themselves; in my opinion our inquiries, as I say, were made of Republicans and Democrats from all walks of life.

I would say that the sentiment for Hawaiian statehood runs about 6 to 1. In this respect I want to say again for the record, ours was a new study. It had not been done before. Here is the case for Hawaiian statehood. Here is an editorial from the Denver Post. The Denver Post is an independent Republican newspaper. It has a series of articles written by the associate editor of the Denver Post, 11 in number, dealing (1) with its present economy, (2) with Hawaii's fight for statehood in the 103 years, (3) Hawaii goes against trend for self-rule, and then the fourth one, fears help statehood foes. This analyzes every group. Another article, “Hawaii's Red Hunters Active.” Another article, “Hawaii Unionists Prospering Under Hall.” Hall was supposedly at that time a Communist leader. “Longshoremen Fail So Far To Influence Politics.” It goes into the politics of both political parties.

In other words, there are 11 wonderful articles here that I think ought to go in not only for those who will read the record, but for the students of the future. This last article, as I have mentioned, “The Case for Hawaiian Statehood.” I ask, Mr. Chairman, that these be put in their chronological sequence in the record. I think it will be very helpful to those who read the record. It is voluminous but wonderfully done by a very learned associate editor of the Denver Post. It is new material and I think it ought to be put in the record.

Senator JACKSON. Without objection, it will be included in the record.

(The information referred to follows:)

[From the Denver Post, Jan. 11, 1958]

FORTY-NINTH STATE?—PARADISE ISLES TURNING INTO INDUSTRY HUB

(EDITOR'S NOTE.—In the belief that statehood for Hawaii is one of the most important and misunderstood issues facing the American people, the Denver Post is presenting a series of articles on the subject, of which this is the first.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Destiny is catching up with the Hawaiian Islands, the beautiful land of the hula, the hibiscus and the orchid, a place of long white-sand beaches, surf riding, luxury hotels, cattle ranches, and sprawling plantations.

Mainland financiers and industrialists have “discovered” Hawaii. Henry J. Kaiser and Clint Murchison, Jr., the Texas oil tycoon, have moved in with millions of dollars for new projects. Enough bauxite ore to supply the United States with aluminum for 100 years has been prospected. The Standard Oil Co. of California is about to start a \$30 million plant to refine oil shipped in from

Indonesia and Borneo. Large deposits of titanium, one of the new miracle metals, have been located.

Territorial government offices are buzzing with plans for \$150 million worth of public projects over the next 5 years.

BUILDINGS RISING, TRADE GROWING

In Honolulu, capital of the Territory, new downtown office buildings are rising. This is the hub of a rapidly growing trade with the Far East. At Honolulu International Airport there is a constant flow of planes to and from California, 2,300 miles away; to and from Fiji, the Philippines, Australia, and Hong Kong. Eight ocean-spanning airlines put in here.

In the harbor, Japanese freighters have berths near the busy docks of the Matson Navigation Co. In all, 12 ship lines provide regular service for freight and passengers.

Population is booming—up 17 percent since 1950 as compared with an increase of 11 percent on the U.S. mainland during the same period. The islands now have 540,000 civilian residents. Seventy-five percent of them are on Oahu alone. Military personnel numbers perhaps 60,000 more.

Government planners have as a long-range objective the creation of 7,000 new jobs a year to take care of the growing labor force. They are eyeing such possibilities as the manufacture of newsprint from bagasse (the pulpy residue left over from the extraction of raw sugar from cane), the development of a timber industry (since nearly all lumber is now imported from the mainland) and the use of the islands' plentiful lava resources for building material.

YOUNG TEXTILE INDUSTRY FLOURISHES

Every few days Honolulu newspapers run lists of new businesses which have been incorporated. A youthful but flourishing textile industry devoted to turn-out colorful Hawaiian and Polynesian prints for dresses and shirts is already established. An electronics firm turns out tubes and other equipment for military installations as well as the civilian population.

This is the new Hawaii of which the flocks of tourist visitors are only vaguely aware.

This is the Hawaii whose story has not yet been fully told to the U.S. mainland. It is an important story, however, because it provides a new and impelling reason for the granting of statehood to this Territory.

Out here, where the Pacific is warm and blue, a vacation paradise is in the throes of fast-moving industrial and business expansion. California is only 4½ days away by ocean liner, only 7½ hours away by air.

In about a year when passenger jets are placed on the Honolulu run the air time will be cut to 4½ hours. Hawaiian's confidently expect that during the early 1960's travel time to San Francisco will be reduced to a little more than 2 hours.

TRADE CENTER OF THE FUTURE

This is no sleepy community. The plantations of the Big Five sugar companies are still important but they no longer make up almost the entire economy of the islands. Businessmen talk of the sure advent of atomic energy to supplement existing powerplants which operate on imported fuel oil. And always in everyone's mind is the realization that at some time in the future the great bulk of world commerce will no longer move across the Atlantic but across the Pacific instead.

Of course, the paradise which was the "old Hawaii" is still here. And it is important, too. Tourism is the fourth largest source of income for the islands and may become the No. 1 source within a few years.

Government defense installations on the islands provide the greatest single source of income. Here are the headquarters for America's farflung bases all over the Asian area. Sugarcane and pineapples are the No. 2 and No. 3 sources of income respectively.

But tourism is expanding phenomenally. In 1947 the islands had 25,000 visitors. In 1957 the number exceeded 160,000—an increase of more than 500 percent.

Waikiki Beach, only 3 miles from downtown Honolulu, is the busiest of all tourist spots—and for good reason. It has everything a tired businessman from Denver or a retired couple from Dubuque, Iowa, might hope for—palm trees, the

fragrance of plumeria blossoms, rolling waves just right for surf riding, outrigger canoes, hotels, shops, luaus (Hawaiian feasts), music and hula dances.

VISITORS MISLED

Hawaii loves its tourists. But many island officials and businessmen are beginning to have misgivings about the overemphasis (provided for visitors) on old Hawaiian ways, barefoot dancing and luaus where the fish are wrapped in ti leaves for baking.

As one of them put it the other day: "We deliberately foster the idea that Hawaii is a languid, island paradise where life is charming and untroubled. As a result visitors go away with but little conception of the new Hawaii of burgeoning industry and trade. Without that understanding, the need for statehood for Hawaii is less compelling and real."

The appearance of the new Hawaii has created new problems which an absentee government, located 5,000 miles away in Washington, cannot solve.

It is to this "new" Hawaii and the statehood problem that these articles are addressed. Waikiki, the Nation's fastest growing playground, is comparable, perhaps, to Miami Beach 20 years ago. But Waikiki is not Hawaii by any means. The imperative reasons for statehood are found elsewhere.

[From the Denver Post, Jan. 13, 1958]

FORTY-NINTH STATE?—HAWAII'S FIGHT FOR STATEHOOD IN 103D YEAR

(EDITOR'S NOTE.—This is the second in a series of articles discussing the question of statehood for Hawaii. This article traces the birth of the statehood issue in the islands.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Efforts to make Hawaii a State of the United States have been going on for 103 years now. At times these efforts have been sporadic. For the last 22 years, they have been sustained and consistent.

It was in 1854 that King Kamehameha III of Hawaii proposed to the United States a treaty whereby the islands would have become a State and he, and his chiefs would have received \$300,000 a year from the Federal Government as support money.

Kamehameha III was no savage chieftain. He had his faults but he was a man of considerable culture. He was a son of Kamehameha the Great, the King who had united the eight principal Hawaiian Islands under a single rule in 1796.

In 1839, Kamehameha III had given the islands their Magna Carta, a declaration of rights and laws which included the right of religious freedom. In 1840 he granted the first written constitution which set up a legislative and judicial system.

He was the author of land reforms. His words, "Un mau ke ea o ka aina ika pono" (the life of the land is preserved by righteousness), still appear on the Hawaiian territorial coat of arms, although there is some disagreement over exactly what he meant by them.

In 1816 Russians had made an abortive attempt to take over the islands. Later a group of Englishmen did take over the islands, without authority from London, for a time. These experiences convinced Kamehameha III that his islands should become part of the United States, lest they fall into other hands.

DEATH STALLS UNION

He died before his plans for union had gone far. Washington had not taken his proposal very seriously. But U.S. influence in the political and business life of the islands continued to grow.

Sentiment for annexation to the United States erupted into a brief but effective revolution against Queen Liliuokalani in 1892. The McKinley Tariff Act had depressed the islands' sugar industry. The American plantation owners saw annexation as a means of getting for themselves the bonus prices sugargrowers on the mainland were receiving.

A committee of safety, dominated by plantation owners and others who favored annexation to the United States, deposed the queen. Troops were landed

from the U.S. cruiser *Boston*, Judge Sanford B. Dole became the provisional head of the government and envoys were sent to Washington to arrange annexation.

However, President Cleveland felt the landing of troops had made the revolution look too much like an American conquest and decided the queen should be restored. A constitutional convention in the islands followed in 1894 and the Republic of Hawaii was established with Dole as its President.

Four years later, after Republicans had returned to power in Washington, annexation arrangements were finally completed. President McKinley signed the treaty and transfer of authority to the United States took place on August 12, 1898.

TERRITORIAL ACT PASSED

Two years later, Congress passed the Organic Act setting up a Government for the Territory. It provided for the election of a Territorial legislature and a Delegate to Congress who would not have a vote. It provided for the appointment by the President of the Governor of the Territory, the Secretary of the Territory and the justices of the Supreme Court of Hawaii. Dole became the first Governor.

Whether the annexation of the islands as a Territory carried with it any promise to make Hawaii a State at some later date is a lively, if somewhat academic subject for argument here in the islands. Opponents of statehood, who form a vocal minority among persons of influence, insist there were no authoritative promises of any kind. They probably are right.

The fact remains, however, that when Congress passed the act setting up the Territorial government it voted down an amendment which would have said that "nothing in this act shall be construed, taken or held to imply a pledge or promise that the Territory will at any future time be admitted as a State. * * *

In his inaugural address, Governor Dole spoke hopefully of statehood. Historically, Territorial status has always been a prelude to statehood. When the Territory of Hawaii was established there were three other Territories—Oklahoma, New Mexico, and Arizona. Of the four, only Hawaii remains in Territorial status. Of all the States in the Union, only New Mexico remained a Territory for a longer period of "apprenticeship" than Hawaii has now served.

Agitation for statehood for Hawaii started immediately after the Territory was organized. In 1903 the Territorial legislature petitioned Congress for an enabling act which would lead to statehood. Every legislature since that time, except during war years, has repeated the request.

BILL INTRODUCED IN 1919

The first bill to admit Hawaii as a State was introduced in Congress in 1919. Since that time statehood bills have been before Congress continuously.

It was not until the early 1930's that island sentiment began swinging strongly toward statehood, however. Several events in those years began to impress islanders with the fact that Territorial status left them exposed to the whims of an absentee government in Washington.

One was the Massie case, which received sensational treatment in the mainland press. It involved an attack by hoodlums on the wife of a U.S. naval officer who was stationed in Hawaii. The naval officer, his mother-in-law, and two sailors were convicted of manslaughter in connection with the killing of one of the alleged attackers, but their sentences were promptly commuted.

An upshot of the case was a proposal in Congress to replace the Territorial government with a three-man commission appointed by the President to rule without benefit of a locally elected legislature. That scheme the islands resented.

About that time, also, Franklin D. Roosevelt asked Congress to change the requirement that the appointed Governors of the Territory must be bona fide island residents. Although nothing came of the proposal it caused the people of Hawaii some alarm. They feared that Territorial government, administered by "carpetbagger Governors," might prove intolerable.

What really gave impetus to the statehood movement on the islands was the Jones-Costigan Sugar Act of 1934, coauthored by the late Colorado Senator Edward P. Costigan. The act sought to give mainland sugar producers a higher-than-average share of the U.S. sugar market at the expense of foreign and Hawaiian sugar-growing areas.

DRAWBACKS IMPRESSIVE

Never before had the islands been so impressed with the disadvantage they suffered from not having voting representation in Congress to look after the rights of the Territory as an integral part of the United States.

By an agreement worked out with the Secretary of Agriculture, Hawaii was able to come in for a fair share of the domestic market in spite of the Jones-Costigan Act and the 1937 Sugar Act recognized Hawaii as a domestic producing area.

However, Hawaii had received a scare. Sentiment for statehood and equal rights with mainland States began to grow. The steady and increasingly urgent campaign that Hawaii has been waging for statehood since 1935 is a story in itself.

[From the Denver Post, Jan. 13, 1958]

FORTY-NINTH STATE?—HAWAII GOES AGAINST TREND FOR SELF RULE

(EDITOR'S NOTE.—The people of Hawaii want their islands admitted to statehood. This article, the third in a series, points up the unique position of a people seeking admittance to a union in a world where gaining independence is popular.)

(By Leverett A. Chapin, Associate Editor, the Denver Post)

HONOLULU, T.H.—In our generation, colonial people all over the world have been struggling for—and winning—independence from absentee governments. It has been happening in Indonesia, in French Indochina, in India, in Africa.

Only in the Hawaiian Islands do we find a “colonial” people who want to get into a country on an equal basis with other citizens instead of out of it.

This unique position of Hawaii is difficult for many people around the world to understand. William F. Quinn, the young and personable Governor of Hawaii who was appointed recently by President Eisenhower, tells the story of a newspaper editor from India who asked him only the other day if the people of Hawaii are not resentful that they have not been granted independence as the Philippines have been.

To the editor from India it was inconceivable that any “colonial” country would not want complete independence. What he failed to understand was that the people of Hawaii, in spite of their mixed racial backgrounds, are as completely American in thoughts, sentiments, and feelings as the people of Brooklyn, Sacramento, or Denver.

Under their skins of all shades, the people of Hawaii are as American as baseball, apple pie or the Elvis Presley phenomenon. In talking with scores of people here, I have not found one of any race who has any desire for Hawaiian independence.

SHOCK TACTICS IGNORED

To suggestions that a movement on behalf of independence might promote statehood, by shocking the mainland into action to insure that this strategic Pacific crossroads will remain under U.S. jurisdiction, islanders are completely indifferent.

Some islanders do not want statehood, yet, for reasons which will be discussed later. Some would like to try a “commonwealth” status under the American flag if it would give them exemption from Federal taxes. There is overwhelming evidence, however, that the majority in Hawaii wants statehood now. None desire independence.

Those who favor statehood will tell you so, quietly and earnestly. When you seem surprised that they do not react with more fire and fighting words, they explain it is impossible to keep any campaign at fever pitch for 22 years.

It was in 1935 that the statehood movement got going in a big way. Since then, peaks of enthusiasm and eager anticipation have been reached a number of times.

In 1940 a plebiscite on statehood was held in the islands. The vote was 2 to 1 for statehood. In 1947 a commission to promote statehood was set up by the Territorial government. It is tax-supported and maintains an office in Washington.

CONSTITUTION APPROVED

In 1950 Hawaii held a convention to write a State constitution which could go into effect whenever Congress might pass the necessary enabling legislation. The constitution was put to a vote and was approved by the people, 3 to 1.

Again in 1954, statehood seemed near. A roll of newsprint paper, 6 feet wide and nearly a mile long, was laid out on a downtown street in Honolulu as a petition on behalf of statehood and 116,000 people signed it in the period of a few days. It was the second largest petition Congress has ever received.

You hear in Honolulu that many influential businessmen do not want statehood because they believe a Governor, appointed by the President from among prominent residents of the islands, is likely to be more friendly to business than a popularly elected State administration might be.

In 1956 the Honolulu Chamber of Commerce, composed of 3,000 businessmen, large and small, of all races, took a poll of its members by secret ballot on the question of whether the chamber should actively promote statehood.

Sixty-four percent of those who voted favored active promotion of statehood by the chamber. Significantly, perhaps, Caucasian members, members in the higher income brackets, and members who are college graduates did not vote as strongly for active promotion as did the chamber members who are non-Caucasian, in modest-income brackets and noncollege graduates.

MAJORITY FAVORS STATEHOOD

However, a majority of every racial, income, and education-level group in the chamber voted for statehood promotion. Even the opponents of statehood with whom I talked admit they probably are in the minority.

Since 1935 no subject has been studied so often or so exhaustively by Congress as the question of statehood for Hawaii. There have been 20 congressional hearings—12 in Washington, 8 in the islands. More than 1,000 witnesses (most of them in favor of statehood) have given millions of words of testimony.

Bills to admit Hawaii as the 49th State have been passed in the House of Representatives on three occasions—in 1947, 1950, and 1953. In 1951 the U.S. Senate passed a bill to admit both Hawaii and Alaska as States.

Every Gallup poll taken on the mainland since World War II has shown overwhelming sentiment in favor of statehood for Hawaii. In recent years the national platforms of both major political parties have supported statehood.

At various times a large number of influential organizations such as the Disabled American Veterans, the National Education Association, and various church and service club groups have urged the admission of Hawaii.

Usually these expressions of sentiment repeat the standardized reasons for equal treatment for Hawaii:

The fact that Hawaii pays Federal taxes without having voting representation in Congress.

The fact that Hawaii has an area larger than that of each of three existing States—Connecticut, Delaware, and Rhode Island.

The fact that Hawaii has more people than four States—Vermont, Delaware, Wyoming, and Nevada—and has a larger population than any other Territory had when it was admitted to the Union, with the single exception of Oklahoma.

The fact that Hawaii pays more in Federal taxes than do any of nine existing States.

The fact that Hawaii has a per capita income higher than that of 35 States.

The fact that servicemen from Hawaii—regardless of race—set unexampled records for devotion, courage, and loyalty during World War II and the Korean war.

STATEHOOD NOT CERTAIN

This array of reasons for statehood is impressive. It should, perhaps, be decisive. Yet statehood for Hawaii in the immediate future is by no means sure. There are strong influences working against statehood, influences which so far have frustrated the majority sentiments of the islands and the people of the mainland in favor of Hawaii's admission to the Union.

These influences are highly complicated. They exist on the islands. They exist in Washington. They involve the unusual racial mixture existing on the islands. They involve the clash of employer interests with labor interests.

They involve fears of communism. They involve endless jockeying for political advantage.

For the sake of simplicity all these influences might be classified as "political." Following articles will trace the tangled skeins.

[From the Denver Post, Jan. 14, 1958]

FORTY-NINTH STATE?—FEARS HELP STATEHOOD FOES

(By Leverett A. Chapin, associate editor, the Denver Post)

(EDITOR'S NOTE.—This is the fourth article in a series discussing the issues of Hawaiian statehood.)

HONOLULU, T.H.—On these beautiful and thriving islands most of the opposition to Hawaiian statehood rests on fears:

Fears by a minority of large employers that an elected State government would tend to be Democratic more often than Republican.

Fears by some businessmen that an elected State government would be less favorable to business than a Territorial government, headed by a Governor appointed by the President of the United States from among the prominent island residents and armed with authority to veto acts of the legislature.

Fears by rightwingers of the influence labor and even "Communists" might have on a State government—particularly the influence of the islands' largest union, the International Longshoremen's and Warehousemen's Union (ILWU) of which Jack W. Hall, a lieutenant of California's Harry Bridges, is regional director. Hall and six others were convicted in 1953 on charges of violating the Smith Anti-Communist Act and their case is now on appeal.

Fears by some native Hawaiians and part-Hawaiians that statehood would give U.S. citizens of Japanese ancestry—an energetic, capable and ambitious group—an opportunity to extend their influence by possibly electing persons of Japanese race as Governor, U.S. Senators or U.S. Representatives.

These fears are reflected in Washington to some extent, judging from the records of congressional hearings and the remarks that a number of visiting Congressmen have made here in recent weeks.

For years Hawaii was predominantly Republican in politics.

But in 1954 islanders upset tradition by electing a Democratic Territorial legislature. In 1956 the legislature went Democratic again, but not by as large a majority as before. However, the real shocker that year for Republicans was the defeat of their candidate, Mrs. Elizabeth Farrington, for reelection as nonvoting Delegate to Congress.

Mrs. Farrington had been appointed Delegate when her husband, the late, popular Joseph R. Farrington, died. After that she won one election but in 1956 she was defeated by Democrat John Burns, a real estate man who had labor support.

[From the Denver Post, Jan. 14, 1958]

FORTY-NINTH STATE?—FEARS SPUR STATEHOOD FOES

(By Leverett A. Chapin, associate editor, the Denver Post)

Few people in the islands believe Hawaii will ever come permanently under the control of either the Republican or Democratic party. The two-party system is very much alive. Republicans are looking forward hopefully to recouping some of their losses in the 1958 election.

However, Democratic gains in the 1954 and 1956 elections have cooled the ardor of some Republicans in Congress for statehood for Hawaii. Some of them want to take a "second look" at the statehood issue now that it has been demonstrated that Hawaii might send Democrats to the House and the Senate at least part of the time.

This is an attitude that most people in Hawaii—Republicans as well as Democrats—deplore. They feel statehood should be granted on principle and merit rather than out of political considerations. But they recognize that some decline in enthusiasm among mainland Republicans for Hawaiian statehood is a fact of life they must face.

Meanwhile, the fears some islanders possess about the possible influence labor and the Japanese might wield under statehood is reflected in the views of many—but not all—Congressmen from the Deep South.

There has always been considerable opposition to Hawaiian statehood among southern Democrats who anticipate that U.S. Senators, and Representatives from Hawaii would be racially tolerant, because of the islands' remarkable absence of racial feeling, and pro civil rights, thus diluting southern strength in Congress.

HOPES FROM LITTLE ROCK ISSUE

This southern viewpoint was put rather bluntly by the Tulsa (Okla.) Tribune in an editorial last March which started with the rhetorical question, "Do we Americans want to put a couple of Japs in the Senate of the United States?"

Some islanders are hopeful the recent Little Rock school integration disturbances will help Hawaiian statehood by making Congress more desirous than ever to prove its willingness to admit a State in which Caucasians would be in the minority.

The more practical islanders anticipate the Little Rock affair may stiffen the resistance of the South as a whole to the admission of Territory which is tremendously proud of the fact that its people of many races and colors live together in near-perfect, but not quite perfect harmony.

Hawaii foresees that the battle for statehood is not yet won because of these political considerations but it is hopeful, and Republican leaders, including the youthful new Governor, William F. Quinn, and Democratic leaders, including Delegate to Congress Burns, will put on a major drive in Washington, starting this month.

Since an understanding of island politics is necessary to any appraisal of the statehood issue, future articles will deal with the rise of the Democratic Party in Hawaii, the labor and "Communist" situation and the racial complexity of Hawaii.

[From the Denver Post, Jan. 16, 1958]

(By Leverett A. Chapin, associate editor, the Denver Post)

FORTY-NINTH STATE—STATEHOOD UNTIMELY, FOES FEEL

(EDITOR'S NOTE.—This is the fifth article in a series discussing Hawaiian statehood.)

HONOLULU, T.H.—"I formerly favored statehood for Hawaii but the 1955 Territorial legislature, in which I served as a member of the senate, changed my mind. As I observed the legislature I decided we were not politically mature and should wait for statehood."

This was Benjamin F. Dillingham II speaking. He is a young man with an intelligent brow, the build of a football player and an enthusiasm for polo.

The Dillingham family is probably the most prominent and one of the most highly respected in the islands. Patriarch of the family is Walter F. Dillingham, president of the Oahu Railway & Land Co., now partially retired. He is considered the leading opponent to statehood in all Hawaii.

His son, Benjamin F. II, is vice president and general manager of the company. In 1954 he created a mild sensation by testifying in Washington in favor of Hawaiian statehood in spite of the pronounced views of his father. Both he and his father are Republicans.

The 1955 legislature of which young Dillingham was speaking was the first overwhelmingly Democratic legislature Hawaii had ever had. Before going to see him I had been told his father liked the Territorial system because it enabled him to influence the appointment of Governors by the President of the United States.

That claim young Dillingham dismissed with the statement that his father had taken no part in the selection of Territorial Governors since the late Wallace Rider Farrington was appointed in 1921 and then reappointed in 1925.

"My father believes only one thing—that what is good for the Territory is good for him," young Dillingham said.

Of the 1955 (Democratic) legislature he said: "As I watched some of these men I told myself that if they are representative of the younger generation, then the younger generation doesn't understand democratic government."

"I believe, for example, that the winning party should not punish the losing party. I found myself in opposition to them on such things as business taxes and unemployment compensation legislation. I did not consider it a mature approach to reduce the appropriation for the Territorial Commission on Subversive Activities.

"I found too many of them tainted with New Dealism. I like them, mind you. But I say, 'Let's take time to get adjusted.' We are doing a great job here on racial integration. I feel greatly encouraged by our economic development. I think we will change toward greater political maturity. In fact, the 1957 legislature showed some improvement. But I am opposed to statehood at this time."

[From the Denver Post, Jan. 16, 1958]

FORTY-NINTH STATE—ISLES UNREADY FOR STATEHOOD, CRITICS ASSERT

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Benjamin F. Dillingham II speaks with obvious sincerity. Later I discovered that a number of opponents of immediate Hawaiian statehood use identical argument to the effect that the Democratic legislators have shown the islands are not "mature" politically.

Democrats admit the 1955 legislature was inexperienced—after all, Democrats have never before been in control of both houses. But they deny passing punitive legislation. Their problem, they say, was to try to alter a feudal system of land ownership which discourages economic development and to change a tax system designed to favor the wealthy.

They claim a long list of accomplishments by the 1957 legislature relating to juveniles and child welfare, insurance companies, workmen's compensation and Territorial planning and promotion. To the charge that they crippled the Territorial Commission on Subversive Activities in 1955. Democrats reply that young Dillingham himself was one who was inclined at that time to the view that a commission might not be necessary if its duties were transferred to the Territorial attorney general.

1955 LEGISLATURE 'FULL OF NEW DEAL IDEAS'

Dillingham's ideas are shared only in part by another leading Republican, Samuel Wilder King, a man of part Hawaiian blood who was governor during both the 1955 and the 1957 legislatures.

Unlike Dillingham, former Governor King is a strong supporter of statehood. The 1955 legislature, he said was full of "New Deal ideas. They wanted to soak the rich."

"They wanted a new plan for real estate tax assessments," the former Governor explained. "They wanted to make it compulsory for landowners to include right-of-purchase clauses in all leases. Perhaps they did not realize no one would want to lease land under such a provision.

"They wanted to require that private land must be left in the Territorial forest reserve for 20 years if it is to enjoy tax exemption. I vetoed that: in fact, I vetoed 72 measures passed by the 1955 legislature and 35 passed in 1957.

"In 1955 the legislature did not even ask to confer with the Governor. In 1957 they did confer. But these legislative performances, I believe, do not indicate any failure of democracy in the islands. Our legislature has been no worse than the legislatures in the States sometimes turn out to be."

In Hawaii, 42 percent of the land is government-owned, most of it by the government of the Territory. Thirty percent more is owned by 12 companies and families. Only 11 percent of all land is held by persons owning less than 5,000 acres each.

Some of the large estates had their beginnings in the days when Hawaii was an independent kingdom. The ownership and leasing of land has been highly profitable.

Much of the most valuable land in Honolulu is owned by the Bernice P. Bishop estate. Many homes and businesses are built on leased land. Many of the leases are for only 10 years.

Desirable land is expensive by mainland standards. When sold, it is sold by the square foot. A good residential building lot may cost as much as \$20,000. Hence many homeowners prefer to lease land and pay annual rental.

VISITORS DISCOURAGED ON PRIVATE ISLAND

One of the eight islands of the Hawaiian group, Niihau, is owned by one family, the Robinsons. It is operated largely as a cattle ranch. About 250 Hawaiians and their children live there. Visitors are discouraged.

Recently when a reporter for the Honolulu Star-Bulletin crashlanded there in a small plane and then took pictures and talked with the people, it was the first time since 1946 that a newspaperman had set foot on Niihau. The reporter, George West, described the island as "a free community in a feudalistic economy."

Another island, Lanai, is wholly owned by the Hawaiian Pineapple Co. and is used as a vast plantation. The land ownership pattern on the other islands poses no great problem as yet, but on Oahu, where Honolulu is located and where 75 percent of the people live, land ownership is a major issue.

New industries are springing up, but many people are convinced new business will be discouraged if more land is not made available for purchase. They point out that most industries won't make large plant investments on leased land.

In general, more Democrats than Republicans are interested in breaking up the large estates—the "feudal" domain system. No doubt some Republicans feel the traditional land system is best and can best be protected under a Territorial form of government in which the appointed Governor can veto legislative acts.

The tax issue is similar. Taxes in the islands are high—but taxes on real estate are low by comparison with most mainland areas. One prime industrial site on Oahu, consisting of 37,000 acres, is assessed at \$12 an acre and reputedly would be worth \$12,000 an acre when improved. The Democratic legislature overrode a gubernatorial veto to provide for the study.

An expert study of land appraisal methods is to be made soon. The Democratic legislature overrode a gubernatorial veto to provide for the study. In the past, an owner of land could put it in the Territorial forest reserve, if it had any value for water conservation purposes, thereby gain tax exemption and withdraw it from the reserve again any time he wished to do so.

One of the bills vetoed by former Governor King in 1955, requiring land to be left in the forest reserve for 20 years if it was to gain tax exemption, was repassed in 1957 and that time was not vetoed. Proponents of the law believe it will return some 240,000 acres of land to the tax rolls.

The second largest single source of tax revenue for the Territory has been a 2-percent flat tax on all compensation and dividends—a kind of gross-income tax. The self-employed did not have to pay it.

The 1957 legislature abolished this flat tax, rewrote the islands' progressive income tax to bring in more revenue and increased certain general excise and consumption taxes. Democratic sponsors of these tax reforms believe they will erase all red ink from the Territorial books.

Here in the islands a minority of the influential people believe the land and tax measures passed so far are only a taste of what might come if Hawaii should become a State, with an elected Governor as well as an elected legislature. They see statehood as a possible threat to a way of life which they believe to be good in spite of the tag of "feudalism" which has sometimes been hung on it.

[From the Denver Post, Jan. 17, 1958]

FORTY-NINTH STATE?—HAWAII'S RED-HUNTERS ACTIVE

(EDITOR'S NOTE.—This is the sixth in a series of articles on the controversial subject of Hawaiian statehood.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—A mainlander visiting these islands is likely to be appalled by the elaborate devices which have been set up to combat communism.

A good many Hawaii residents are beginning to be appalled too. They suspect part of the emphasis on the Communist menace may be a subtle device for defeating the granting of statehood to the Territory.

Nowhere else in the United States are there as many precautions against Communist or subversive influences as there are here. Loyalty oaths are required of all public employees. The Territory has a tax-supported commission whose sole job is to expose subversives.

The chairman is William B. Stephenson, a prominent attorney who has a steely eye, an impressive record of naval intelligence work during World War II and on encyclopedic knowledge of Communist activities.

Stephenson and other members of the nonpartisan commission receive no pay. The commission's appropriation goes to hire a staff of two persons and maintain an office in the basement of Iolani Palace, the Territorial capitol where the throne room of the Hawaiian kings of preannexation days is still preserved.

Stephenson has no sympathy with those who decry the use of guilt-by-association methods. "If a person associates with Communists, the public is entitled to assume he has Communist sympathies, too," Stephenson says. He is a dedicated foe of Communists of all shades.

Every 2 years the commission reports to the Territorial legislature on the threat of communism as it sees it. The commission takes no position on statehood. Stephenson calls it a factfinding body only.

In addition to this official agency, Hawaii has a privately supported anti-Communist organization known as Imua. In the Hawaiian language Imua means "forward."

Imua has 3,000 subscribers, most of them island residents, some on the mainland. Its budget is \$92,000 for 1958—more than twice the amount the official commission on subversive activities has to spend. It maintains a staff and an extensive library of material on communism and Communists, known and suspected. It issues published reports to its members and broadcasts reports in English and Filipino over six radio stations each day, Monday through Friday.

Imua has no inhibitions about publishing its hard-hitting opinions. It is critical of the U.S. Supreme Court for what it considers a soft attitude toward Communists. It has a low opinion of persons who take advantage of fifth amendment rights to refuse to testify.

[From the Denver Post, Jan. 17, 1958]

FORTY-NINTH STATE?—DEVICES USED TO HUNT REDS APPALL HAWAII

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—Imau is a privately supported anti-Communist organization in Hawaii.

It has been lambasting the Hawaiian nonvoting Delegate to Congress, John Burns, a first-term Democrat, for such things as posing in Washington for a picture with a labor union delegation which called on him. Imua described three members of the delegation as "first amendment Communists."

Walter F. Dillingham, the outstanding opponent of statehood in the islands, is honorary chairman of Imua's fundraising drive. Wynthrop M. Orr, executive vice president of Imua, says the organization itself takes no position one way or the other on statehood. Its sole business is Communists.

However, directors of Imua recently endorsed a statement by their most outspoken member, Dr. Lyle G. Phillips, that Hawaii will not "merit" statehood until "the present threat of subversive control over our Territorial life ends."

Dr. Phillips' statement was made in a speech in Pittsburgh, Pa., before the All-American Conference of National Organizations to Combat Communism.

What irritated advocates of statehood was the coincidence that the speech was made the same day on which Gov. William F. Quinn, members of the Hawaii Statehood Commission, and other islanders were in Reno, Nev., drumming up support for statehood at a western conference of the Republican Party.

HUBBUB RELATED TO STATEHOOD CAMPAIGN

Some advocates of statehood claim to notice there is great hubbub and publicity about Communists in Hawaii every time there is a spurt of new activity to promote statehood.

For a long time Imua enjoyed wide immunity from criticism. There was an understandable reticence to speak disrespectfully of an organization sanctified by its avowed opposition to communism. But a growing conviction that the constant to-do about "communism" is nurtured by persons who, for political, economic, tax, or landownership reasons, would like to keep Hawaii a Territory, is bringing Imua under fire.

The Honolulu Advertiser has characterized Dr. Phillips as "Hawaii's Senator McCarthy." Commenting on Dr. Phillips' speech, the Honolulu Star-Bulletin, edited by friendly and popular Riley H. Allen, said:

"The task which faces the Hawaii Statehood Commission and all of us who believe in and work for statehood is to convince the Members of Congress that Hawaii is not in the grip of Communists. * * *"

The Star-Bulletin reflects what seems to be the average view here—that Communist influences must be guarded against but Communists are not in control and won't be and exaggerations regarding communism will hurt the statehood cause.

WRONG EMPHASIS DISMAYS OFFICIAL

The statehood commission itself is more than a little concerned about the emphasis on communism. Head of the commission is Lorrin P. Thurston, president and general manager of the Honolulu Advertiser, a soft-spoken man of impressive sincerity whose family has been in the islands more than 100 years.

"Imua tells half truths," Thurston complains. Since he became head of the commission it has issued a 30-page booklet answering "the charge that communism in Hawaii disqualifies the Territory from becoming a State."

This stiffening attitude toward Imua and "efforts to smear Hawaii with communism" is accompanied by a growing feeling among strong statehood advocates that the local minority against statehood, including some highly influential men, must be opposed more vigorously than in the past.

Statehooders will tell you a few men who know the "right people" in Washington can, with a few words spoken privately against statehood, undo work the Territorial Statehood Commission has spent tens of thousands of dollars to accomplish.

Some advocates of statehood want to dramatize the plight of the islands by the shock method of making an appeal to the United Nations to save Hawaii from the evils of "colonialism."

TWO FACTORS USED AGAINST STATEHOOD

Use of the "Communist scare" as a means of defeating statehood has been helped along by two facts. One is that no point in American defenses has greater strategic importance than Hawaii. If communism is bad wherever it is, it is doubly bad here, statehood opponents say.

They add, in the next breath, that the presence here of Jack W. Hall, regional director of the International Longshoremen's and Warehousemen's Union, is another reason for extra vigilance. The ILWU is the Harry Bridges union which was kicked out of the CIO several years ago.

Hall and six others were convicted in 1953 of violating the anti-Communist Smith Act and are at liberty under bond while their case has been under lengthy review by the Federal circuit court of appeals.

The ILWU is the most powerful labor organization in Hawaii. It has 23,500 members of whom only 1,800 are longshoremen. The rest are sugar workers, pineapple workers, general trade workers and truckers. All AFL-CIO unions on the islands have a combined membership of 15,000.

Opinions on the islands about Jack Hall differ. At worst, he is described as a hard-core Communist who uses the ILWU for Communist purposes and would wield great political influence if Hawaii became a State.

At best, he is described as a tough labor leader who has the interest of his members at heart, drives a hard bargain, knows his business, and has made cane and pineapple workers the highest paid agricultural labor in the world.

Those convicted along with Hall include Charles K. Fujimoto, one time a junior chemist in the experiment station of the University of Hawaii who left the university to become chairman of the Communist Party of Hawaii, and his wife, Eileen. Fujimoto reputedly is the only self-admitted Communist Hawaii ever had.

Also convicted were Koji Ariyoshi, editor of the Honolulu Record, which some describe as an island counterpart of the Daily Worker; John F. Reinecke, who was fired as a teacher in the public schools several years ago after a hearing on charges that he failed to embrace the ideas of democracy; Jack D. Kimoto, an employe of the Record, and Dwight James Freeman, a construction worker.

Another union which Imua says is Communist controlled is the United Public Workers Union, headed by Henry Epstein. It has about 2,000 members and has headquarters in the attractive and modern ILWU main office building here in Honolulu.

[From the Denver Post, Jan. 13, 1958]

FORTY-NINTH STATE—HAWAII UNIONISTS PROSPERING UNDER HALL

(EDITOR'S NOTE.—This is the seventh article in a series discussing the question of statehood for Hawaii.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—If you want to interview Jack W. Hall, director of the Hawaii regional office of the International Longshoremen's and Warehousemen's Union, you may have to get up early.

Hall arrives at his office at 7:30 a.m., dressed comfortably in slacks, loafer shoes, and a colorful, open-necked aloha shirt. He is a large man with thick-lensed glasses and closely cropped hair. He talks easily and directly to you.

He is proud of the union which has 23,500 members in the dock, sugarcane, pineapple, and trucking industries. Sixty percent of them are Filipinos. About 8,000 of them are aliens. They compose the largest single alien group in the Islands now that the McCarran-Walter Act has made the alien Japanese who are longtime residents of the Islands eligible for citizenship.

About 15,000 of the ILWU members are voters and citizens. Many of them had outstanding war records. Cane and pineapple workers, who once earned less than \$1 a day, now are the highest paid agricultural labor in the world.

In recent years Hall and the union have stressed fringe benefits, such as retirement pay. Employers consider Hall a tough bargainer but respect his ability and his interest in the workers.

Hall, who was one of seven convicted in 1953 in Hawaii on charges of violating the Smith Anti-Communist Act, is proud, also, of the modern, new headquarters the union has built in Honolulu. It includes a large auditorium, equipped with the latest in hi-fi sound reproduction which Hall likes to demonstrate for visitors.

Hall seems confident that his Smith Act conviction will be reversed by the U.S. circuit court of appeals, a view generally shared by islanders who have read about the reversal of other Smith Act convictions in Colorado and elsewhere.

Before he was indicted, Hall once made a non-Communist affidavit. There is a widely spread belief here that Hall and probably other leaders of the union were Communists at one time but no longer are. This belief stems in part, perhaps, from the fact that when the Eastland internal security subcommittee of the U.S. Senate held hearings here in December, 1956, certain persons connected with the union offered to testify if they would be asked only two questions: (1) Are you now a Communist? and (2) Have you been a Communist in the last 3 years?

The offer was not accepted and a considerable number of witnesses refused to testify under fifth amendment protection. Hall himself was not called because the appeal of his Smith trial case was pending.

[From the Denver Post, Jan. 19, 1958]

FORTY-NINTH STATE?—RACE ISSUE BARS HAWAII, HALL CHARGES

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—The most outspoken foes of communism in the Hawaiian islands, including Imua, a privately financed antisubversive organization, consider Jack W. Hall a Communist and his ILWU as a Communist-dominated union.

Who is right I don't pretend to know but Hall, very easily, is Hawaii's most controversial citizen.

I asked Hall if he knew many people say the islands would have statehood if it were not for him and the Communist issue.

"Yes, but I don't believe it," he replied. "There is no Communist Party in Hawaii. It isn't because of communism that we don't have statehood. That is a red herring.

"We haven't gotten statehood because of racial fears on the mainland—that and fears that people elected here, where we have less racial prejudice than any other place in the world, would be too liberal on such things as civil rights. They fear we might elect people who are left of center.

GOVERNORS VETO TAX LEGISLATION

"We have a small middle class here, but it is growing. There is a lot of undercover opposition to statehood here on the islands from people who are afraid of what would happen on such things as taxes.

"Under the territorial system progressive tax legislation which might hit persons of wealth has been vetoed frequently by our appointed Governors, Stainback and Long, for example." (Ingram M. Stainback was Governor from 1942 to 1951 and Oren E. Long from 1951 to 1953. Both are considered conservative Democrats.)

Hall, some Republicans will be surprised to know, is registered as a Republican. So is his boss, Harry Bridges of California, head of ILWU.

"The Democratic Party," Hall says, "is the party of small businessmen. I am for big labor and big capital."

Hall favors statehood for no high-sounding reasons relating to taxation without representation. His is a practical approach.

"Until we get statehood and elect our own officials the people cannot exert popular pressures on the executive and judicial systems," he says. He believes officials of the Territorial public school system, who are now appointed, should be elective officers also.

ILWU INFLUENCE CALLED SIGNIFICANT

The question of how much pressure Jack Hall and the ILWU might be able to exert on State government if Hawaii should achieve statehood is a widely discussed subject here.

The conclusion of the Eastland committee after its hearings here in December 1956 was that "The evidence indicated that the ILWU was able to exercise an influence over the Territorial legislature and over politics in general." In another place in its report the committee termed this influence significant.

Many people here say ILWU political influence is badly overrated. No one, however, doubts the union's economic influence. The 1949 ILWU strike, which lasted for 6 months, was a fearful demonstration.

Crops spoiled in the fields, shipping was tied up. They tell you here in the islands that many small businessmen went broke, because they could not get merchandise from the mainland. Generally speaking, the strike was considered a victory for the union.

Do ILWU members follow their leadership on political issues as they do on economic issues and wage demands? Opinions differ.

STRIKES HAVE POLITICAL TINGE

The ILWU has engaged in some strikes which seemed to outsiders to be political. In 1950 there was a demonstration strike after Harry Bridges had been sent to jail for violating his bail. There was a 4-day walkout when Hall and six others were convicted under the Smith Act in 1953.

In May 1956 there was a walkout from wage negotiations in protest against the appearance in Hawaii of Secretary of Labor Mitchell, who had made remarks which Bridges considered derogatory to him. There was a demonstration strike in Honolulu, led by Bridges and Hall, when the Eastland subcommittee opened its hearings on subversive activities, in December 1956.

There are a variety of opinions regarding this last strike. The number of workers participating is variously estimated at from 1,800 to 4,000. A tropical rain helped spoil the demonstration for Bridges and Hall. Even Imua, which is not likely to underestimate Communist accomplishments, says "The strike was disappointing to Hall and Bridges."

It is understandable, perhaps, if rank and file ILWU members look on any attack on Hall, alleging he is a Communist, as an attack on a union which has brought them great benefits—an attack which must be resisted.

You do not hear any claims that the ILWU membership is communistic, only claims that the leadership is Communist, J. D. (Jot) Pratt, a highly regarded plantation manager for the Hawaiian Pineapple Co., who has several hundred

ILWU workers under his supervision, told me he does not know of a single Communist in the lot of them.

The best way to judge the real weight of ILWU political influence is to look at its successes or failures in electing candidates it favors and in getting measures which it wants put into law. That is another story.

[From the Denver Post, Jan. 19, 1958]

FORTY-NINTH STATE?—LONGSHOREMEN FAIL SO FAR TO INFLUENCE POLITICS

(EDITOR'S NOTE.—This is the eighth article in a series dealing with the question of statehood for Hawaii.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—In 1949 when the International Longshoremen's and Warehousemen's Union tied up the Hawaiian Islands with a 6-month strike, Gov. Ingram M. Stainback called a special session of the legislature which authorized the Government to seize the docks and work them with National Guardsmen or anyone else he might enlist.

The principal political aim of the ILWU since 1949 has been to get the dock seizure law repealed. But it is still on the books.

In 1950, the ILWU opposed the adoption of the constitution which had been written in anticipation that Hawaii might be granted statehood. Jack W. Hall, Hawaii regional director of ILWU, and other union leaders objected because the new constitution did not provide for the initiative and referendum, the election of judges, etc.

The constitution went to a vote of the people and was approved 3 to 1. Today the constitution is "on tap," ready to go into effect whenever Congress passes the necessary enabling legislation creating the 49th State.

In 1952, Hall and still others went on trial before a jury representing a cross-section of the island citizenry and were found guilty under the Smith anti-Communist Act.

(The U.S. Court of Appeals in San Francisco reversed Hall's conviction on charges of membership in the Communist Party and plotting to teach and advocate violent overthrow of the Federal Government. See details on page 4.)

These are three of many examples which can be found here of the apparent inability of the ILWU and Hall to influence governmental actions. Since opposition to statehood is based to considerable extent on claims that the ILWU is Communist dominated and would take over the new State, the political failures of the ILWU have some significance.

Other examples are more recent.

In 1955 Charles E. Kauhane, the speaker of the Territorial House of Representatives, sent a gift—a gavel—to Harry Bridges, international president of the ILWU, at a mainland union convention in California.

This gift was cited by members of Imua, the privately financed anti-Communist organization in the islands, as evidence of ILWU influence in politics and the Eastland subcommittee of U.S. Senate on Internal Security, in its 1957 report, called attention to the gift.

The subcommittee failed to mention, however, that when Kauhane ran for mayor of Honolulu in 1956 he was defeated in the Democratic primary, by a vote of 6½ to 1, by a newcomer to politics, William C. Vannatta, who was later defeated in the general election by the Republican candidate, Neal S. Blaisdell. The gavel incident was Kauhane's undoing.

[From the Denver Post, Jan. 19, 1958]

ELEVEN WIN APPEALS—U.S. RED PLOT VERDICTS UPSET

SAN FRANCISCO, January 20.—The U.S. court of appeals, acting in line with the Supreme Court's California Reds ruling of last June, Monday reversed the Smith Act convictions of seven persons in Hawaii and four in the State of Washington.

The convictions were obtained in district courts on charges of memberships in the Communist Party and plotting to teach and advocate violent overthrow of the Federal Government.

Judge Richard H. Chambers, who wrote the appeals court decision Monday, said the Supreme Court's decision last June "leaves the Smith Act, as to any further prosecution under it, a virtual shambles."

Ordered freed by the decision Monday on reversals of their convictions were:

In Hawaii—Jack W. Hall, regional director there of the International Longshoremen's and Warehousemen's Union; Charles K. Fujimoto, former chairman of the Communist Party in Hawaii, and his wife, Eileen, who was a member of the party's executive board; John E. Reinecke, former Territorial treasurer of the party; Dwight J. Freeman, who was party organizer; Koji Ariyoshi, editor of the Honolulu Record, and Jack B. Kimoto, who was party chairman before World War II.

Involved in the Seattle case—Henry P. Huff, John S. Daschbach, Paul M. Bowen and Terry Pettus.

[From the Denver Post, Jan. 19, 1958]

LONGSHOREMEN FOE ELECTED IN HAWAII

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—In the 1957 Hawaiian Legislature there were four candidates for speaker of the house.

The one candidate the ILWU wanted to defeat was O. Vincent Esposito, a brilliant, young, Harvard-educated attorney who was chief prosecutor for the War Crimes Commission in Japan after World War II. Esposito is an outspoken foe of communism and the ILWU.

"The ILWU said it would take anyone but Esposito for speaker," Esposito told me. "When the time to select a speaker came, I was elected unanimously—30 to 0.

"In the 1957 legislative session, the ILWU had three pieces of legislation which it wanted passed. One was the repeal of the dock-seizure law. The repeal was defeated in the house 28 to 2.

"The other two proposals provided tax exemption for union properties and repeal of the Territorial unfair trade practices law. The tax exemption bill did not get out of committee. Repeal of the unfair practices law was referred for more study."

Esposito, who was in the thick of the 1957 legislative battles, is a strong supporter of statehood. He is widely respected. He has no fears that the ILWU would dominate the new State government.

In the 1957 legislature there were quite a number of members, both in the house and the senate, who sought and obtained labor support in the 1956 election—including the support of the ILWU.

The ILWU sends questionnaires to legislative candidates. Supposedly, the ILWU gives its official support to candidates on the basis of the answers received. It supports some Republicans. It supports some candidates who are outstanding foes of communism.

Jack Hall, the ILWU leader in Hawaii, told me the union supported Republican William F. Quinn when he ran for the Territorial Senate. Quinn, a young attorney with unusual ability as a singer and amateur actor, is the new Governor of Hawaii, an appointee of President Eisenhower.

ILWU has also supported Territorial Senator William H. (Doc) Hill of the Island of Hawaii, who founded a large fortune by selling and trading eyeglasses to islanders years ago. Hill, whose interests include realty, dairy, motor, drug, and electric holdings, is a leading Republican.

The four leaders of the 1957 legislature—Esposito, Senate President William Heen, Senate Floor Leader Herbert H. K. Lee, and House Floor Leader Daniel K. Inouye—were not endorsed by the ILWU. The three senators elected for the island of Oahu in 1956 were all opposed by the union.

Front runner in the senatorial race was conservative Democrat Oren E. Long, former governor of the islands and former superintendent of public instruction. He is a thorough-going advocate of statehood. The ILWU did not endorse him.

ILWU political influence is likely to be even less in the future than it has been in the past. Approximately 75 percent of the population of the islands is located on the Island of Oahu, where Honolulu is located, but Oahu has never had even majority representation in either the Territorial House or the Territorial Senate.

The Democratic feat of capturing the legislature in 1955 and again in 1957, after many years of Republican victories, was not accomplished by the ILWU. Both former Governor Samuel Wilder King, a Republican, and former Governor Long, a Democrat, are agreed on that.

"Democrats won here for the same reasons that Democrats won the Congress on the mainland," according to King, "not because of union leaders who have been identified as Communists. The ILWU has rejected its leadership on occasions—as for example when the leadership tried several years ago to discourage National Guard enlistments on one of the islands. Organized labor can be counted upon to get rid of any Communists in time."

"Harry Bridges (international head of ILWU) didn't do it," said Long, referring to recent Democratic victories on the islands. "The Democrats appealed to young people. The Republicans had grown smug. The Democrats have had a remarkable group of young legislative candidates—many of them of Japanese ancestry with degrees from Harvard and other mainland universities and with outstanding records for bravery in the U.S. forces during the war."

Hawaii G.O.P. Chairman Ed Bryan, who happens to be a 1942 graduate of the Colorado School of Mines, says the party is working confidently to win both houses of the next legislature.

Bryan believes the ILWU members vote pretty much as the leaders recommend. The second level of command in the union does not believe that the top leaders, such as Hall, are Communists, according to Bryan.

Only a small minority of islanders believes communism and the ILWU are valid reasons for withholding statehood from the islands—particularly in the light of the ILWU's many political defeats. Neither are many islanders concerned by claims that Hawaii would elect Japanese to Congress if statehood were granted. That claim probably carries more weight on the mainland than it does here. Hawaii's racial mixture will be discussed next.

[From the Denver Post, Jan. 20, 1958]

FORTY-NINTH STATE?—ISLES LIVE BY RACE TOLERANCE

(EDITOR'S NOTE.—This is the ninth in a series of articles discussing the Hawaiian statehood question.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—"Why should I want statehood? It would merely mean that Hawaii would send Japanese to Congress."

The speaker was a taxi driver of Hawaiian blood. His viewpoint is typical of that of a considerable number of native Hawaiians. About the only race prejudice in evidence in these islands is expressed by the native Hawaiians against Japanese. You have to hunt for even this evidence but it can be found.

Antagonism of some Hawaiians against Japanese is of long standing but islanders say it is diminishing. It stemmed years ago from fears that Japanese might take over the islands in toto. It has been kept alive by the fact that the Japanese in Hawaii have a drive and an ambition to get ahead in the world which the easier-going Hawaiians do not admire and against which they would find it uncomfortable to compete.

In spite of the prejudices occasionally expressed, Hawaii is the world's most important and successful experiment in racial integration and tolerance.

Islanders are proud of their unique contribution to respect for all races. They believe they have done better than any other part of the globe in living up to the principle that the dignity of man should know no racial limitations.

"We are not perfect but we have advanced farther toward ideal, friendly race relations than any other place, in any country," O. Vincent Esposito, one of the outstanding young men of Honolulu, says. Esposito, of Italian ancestry, was born in Connecticut where his father was a physician and also an attorney.

The son is a graduate of Harvard Law School, a Democrat and speaker of the Territorial House of Representatives. His wife is an oriental. When he walks through the downtown section he is greeted every few feet by friends of various races who want to shake his hand and exchange a quip.

[From the Denver Post, Jan. 20, 1958]

FORTY-NINTH STATE?—ISLES EXHIBIT OF DEMOCRACY

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—O. Vincent Esposito, one of the outstanding young men in Honolulu, says:

"Hawaii has an asset of great value to the rest of the United States. It has a special love of man. It is an exciting place in which to live. I see it as a center of beautiful and wonderful things—a real democracy in the finest sense of the term.

"America needs every friend it can get—particularly in the heavily populated countries of Asia. Hawaii is winning many friends for our country. This is the place many Asians get their first glimpse of America. With statehood, we could win many more because our relations with the Orient are healthier and more intimate than the relations of the mainland. When I think of statehood, I sometimes ask myself, "Wouldn't Russia like to have a showplace of racial tolerance and friendliness such as this?" "

ALL RACES PRESENT ON EQUAL FOOTING

Later when I was invited to attend a Lions Club meeting in Honolulu I thought I could begin to understand what Esposito meant. Business and professional men of half a dozen races were present—on equal footing, with not the slightest condescension of anyone for anyone else.

According to the last compilation of the Hawaii Board of Health, the civilian population of the islands is now 36 percent Japanese, 24 percent Caucasian, 22 percent Hawaiian and Part-Hawaiian (the number of pure Hawaiians is very small), 7 percent Filipino, 7 percent Chinese, 2 percent Puerto Rican, 1 percent Korean. The other 1 percent consists of persons of a variety of races.

At one time (1920) Japanese made up nearly 43 percent of the population. In general the percentages of Caucasians and Part-Hawaiians have been increasing while the percentages of Japanese and Chinese have been declining. Most of the influx since the war, resulting from a rapid expansion of business and industry in the islands, has been Caucasian.

Many servicemen who were stationed here during the war have returned to make their homes.

Most of the Japanese in Hawaii are U.S. citizens, of course. Most of them are second or third generation Japanese who were born in the islands under the American flag.

For years many of the older Japanese and Chinese in the Hawaiian Islands were not eligible to apply for citizenship under oriental exclusion acts. Now that is changed and many of them are taking out naturalization papers. The largest group in the islands which is still ineligible for citizenship consists of Filipino workers who were brought in since the war to work on plantations. Hawaii's alien population, now estimated at 15 percent, is disappearing rapidly. Nearly 100 percent of all children in Hawaii schools are native born. Hawaii has a young population. Half of its people are under the age of 25.

Since World War II and the Korean war, no one in the islands would think of questioning the loyalty of the islanders of Japanese blood. Nisei (second generation Japanese) from the islands made up the entire membership of the 100th U.S. infantry battalion which later became a part of the all Nisei 442nd Regimental Combat Team.

In Italy and France the 100th and the 442nd became known as the famous Purple Heart Regiment. They were awarded more medals and decorations for their size and length of service than any other infantry unit in U.S. history.

BIG CONTRIBUTION TO ISLAND LIFE

According to Dr. Douglas S. Yamamura, sociologist of the University of Hawaii, nearly one-third of all recent marriages in the islands have been between persons of different racial groups. He believes that within 40 or 50 years Part-Hawaiians will make up the bulk of the population.

Part-Hawaiians are prominent in the business, professional, and social life of the islands. Many of them are descendants of Yankee missionaries, planters, and traders who arrived when Hawaii was an independent kingdom.

The contribution of Hawaiians to the cultural life of the islands and the general attitude of the people toward life is striking and enduring, particularly when it is contrasted with the slight imprint left by the North American Indian tribes on the U.S. mainland.

The Hawaiians are a gentle people, generous, possessed of a keen sense of humor, artistic, with natural ability for public speaking and politics. These are enduring qualities which successive waves of haole or foreign immigration could not obliterate. The absence in Hawaii of garish advertising signs and horn-honking motorists reflects native attitudes.

Among the islanders, only a minority of the Hawaiians and Part-Hawaiians would be concerned if Hawaii upon admission to statehood would send persons of Japanese blood to Congress. Most islanders do not think of persons as being Japanese or Chinese or Caucasians.

When I asked one businessman if another man about whom we had been talking was Japanese he replied, "Well, I guess he is. Yes, he is. I just don't think of people according to racial classifications."

Actually, if it is any consolation to race-conscious mainlanders, there are few if any Japanese politicians in the islands at this time who are prominent enough to run for top offices such as Governor, U.S. Senator or U.S. Representative.

The persons of top political stature in the islands are mostly Caucasians or Part-Hawaiians. These include on the Republican side Gov. William F. Quinn, former Gov. Samuel Wilder King, Mrs. Elizabeth Farrington, Benjamin F. Dillingham II, and so forth; on the Democratic side, John Burns, the present nonvoting delegate of the Territory to Congress; former Gov. Oren E. Long; Esposito, speaker of the Territorial House of Representatives, and so forth.

The racial issue, like the Communist issue, is a device used by special interest groups to forestall statehood for Hawaii. There are reasons for statehood which appeals to prejudice and Communist fears cannot answer. It is time to look at them.

[From the Denver Post, Jan. 21, 1958]

FORTY-NINTH STATE?—SECOND-CLASS CITIZENS PAY ALL TAXES

(By Leverett A. Chapin, associate editor, the Denver Post)

(EDITOR'S NOTE.—This is the 10th in a series of articles dealing with the Hawaiian statehood question.)

HONOLULU, T.H.—The second-class citizenship of the more than half a million Americans who live in the Hawaiian Islands has disadvantages of which the first-class citizens of the mainland are almost totally unaware.

Mainlanders know, of course, that islanders pay Federal taxes without having the right to vote for President, Senators, Congressmen, or even their own Governor.

But stateside citizens may be surprised to learn that although Hawaii is paying the increased U.S. gasoline and excise taxes which are financing the new interstate road building program, Hawaii is not getting a dime of this additional highway "pot."

Over a period of about 13 years, Hawaii will pay \$30 million in new taxes to help pay for building roads in Colorado and the 47 other States. This is a subsidy to the rest of the country which the people of Hawaii can ill afford, considering the many public projects they need to keep up with a growing population and an expanding economy.

For years certain Congressmen have been saying Hawaii is treated just as well by the Federal Government as the States are treated and, therefore, Hawaii does not need Senators and Representatives. A nonvoting Delegate to Congress is all the islands need, according to these Congressmen.

The people of Hawaii know this just is not so. Because it does not have Members in Congress who are armed with votes to trade with Senators and Representatives from other States, Hawaii is discriminated against in countless pieces of legislation.

Today Hawaii is getting less money for wildlife conservation, fish management, and similar purposes than it would get if it were a State and received funds on the same basis as the other States.

It took years for Hawaii to get equal treatment from Congress on such matters as aid to land-grant colleges, aid to vocational education, topographical surveys, and school-lunch programs. Hundreds of bills relating to "the several States" are introduced in each Congress. The principal job of the nonvoting Delegate from Hawaii is to try to persuade the authors of these bills to add the words "and the Territories" to the texts.

[From the Denver Post, Jan. 21, 1958]

FORTY-NINTH STATE?—HAWAII PAYS TAX, GETS NO ROADS

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—Recently a subcommittee of the House Public Works Committee visited Hawaii to investigate various pressing needs, such as improvements for the important Honolulu Harbor.

Several of the Congressmen were surprised to learn Hawaii was left out of the new multi-million-dollar road program and promised to try to do something about it. The head of the visiting group, Representative John C. Kluczynski, Democrat of Chicago, was one who went away with a new concept of why Hawaii needs statehood.

Kluczynski is convinced, he told me, that lack of statehood is keeping Hawaii from receiving a fair share of rivers and harbors works which are vitally needed.

Strangely enough, most Hawaiian residents do not complain about paying Federal taxes. Their complaint is against being treated as first-class taxpayers and second-class beneficiaries of Federal projects and programs.

JUDGE BACKS COMMONWEALTH STATUS

Justice Ingram M. Stainback of the Hawaii Supreme Court has been trying, without much success, to persuade islanders that they should ask for a commonwealth status, such as Puerto Rico has, rather than statehood.

Puerto Rico, under its commonwealth status, is exempt from Federal taxes and is booming, businesswise, as a result, according to Justice Stainback.

"Exemption from Federal taxes would be worth billions to Hawaii in new business. Exemption from Federal taxes would turn Alaska into a new Sweden," Justice Stainback says.

He paints an alluring picture, so alluring that the listener gets the impression any of the 48 States would gladly accept commonwealth status if it could get preferred tax treatment in that way.

LACK OF STATEHOOD HAMPERS ACTION

But Justice Stainback has few followers for his plan in the islands. The people here want statehood—not tax exemption, commonwealth status or any other condition.

A proposal in the last Territorial Legislation to ask for commonwealth status failed to get out of committee and another proposal to ask for tax exemption was defeated in the house 28 to 2.

Outsiders seldom realize how lack of statehood hampers the Territory in its efforts to grapple with problems which pop up constantly in a dynamic, progressive community.

Authority of the Territorial Legislature is limited by the act of Congress which set up the Territorial government in 1900. Gov. William F. Quinn of Hawaii recently went to Washington to discuss with congressional and other officials 64 bills passed by the legislature. The purpose of the discussions was to determine if any of the bills would require changes in the Organic Act of 1900.

BEACH PLAN BALKED BY ORGANIC ACT

Under the organic act, Hawaii may not lease any of its Territorial lands for a longer period than 21 years at a time. The Territory has a plan on foot to add to the land available along Waikiki Beach for resort hotels by creating two small islands through dredging and filling operations.

If built the islands undoubtedly would prove highly profitable for the Territory, but who would build a resort hotel on land which could be leased for no longer

than 21 years? Territorial officials hope to beat this problem by getting Congress to permit 55-year leases of Territorial land, and Senator John F. Carroll, Democrat of Colorado, has promised to discuss this change in the Hawaii Organic Act with members of the Senate Insular Affairs Committee.

Meanwhile, the island plan must await the pleasure of an absentee Government in Washington. With statehood, Hawaii could act quickly without waiting for approval.

Lack of statehood affects every section of the business community in ways which only island residents know. Hawaii has facilities for refurbishing naval vessels which are seldom used because voting Congressmen from coastal States have enough influence to get such business for their own cities.

Lorrin P. Thurston, chairman of the Hawaii Statehood Commission, is a newspaperman. He knows that many large companies allocate advertising among the States on formulas based on population and purchasing power but allocate only token mounts of advertising to Hawaii as they do to foreign countries.

GOVERNMENT SETUP DISCOURAGES INVESTORS

"I have tried to raise capital in New York for Hawaiian companies and I know the fact we are subject to an absentee Government discourages investments here," says O. Vincent Esposito, attorney and speaker of the Territorial house of representatives.

Islanders cringe when they bump into the time-worn arguments against statehood but they have ready answers. One is the argument that Hawaii is not contiguous to the rest of the country or as U.S. Senator George W. Malone, Republican of Nevada, once put it, "Anyone can hitchhike from Maine to California but you can't hitchhike from California to Hawaii."

To that islanders reply that California was not contiguous to any other State when it was admitted in 1850 and that a little more than a year from now Hawaii will be only 4½ hours from California by jet passenger plane.

ISLANDERS HAVE ANSWERS TO ARGUMENTS

To the argument that many Hawaiians are not Caucasians, islanders reply that New Mexico was predominantly Spanish speaking only a few years ago and that Indians made up a considerable part of the population of Florida when it became a State.

The argument that statehood for Hawaii would dilute the already weak representation that populous States have in the U.S. Senate is not an argument against statehood but an argument for a change in the American system of government, islanders hold. Hawaii can't see why it should be penalized because of the system of representation established by the Founding Fathers of the Republic.

[From the Denver Post, Jan. 22, 1958]

FORTY-NINTH STATE?—WHY HAWAII ASKS STATEHOOD

(EDITOR'S NOTE.—Why do Hawaiians want statehood? This article, last in a series, tells why.)

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU, T.H.—Herbert Shimada is a union (AFL-CIO) plasterer who lives in a modest neighborhood out beyond Diamond Head. He and his wife and three sons are Buddhists. Otherwise they are as typical an American family as you could find in Flatbush or Denver.

Two of the sons are now attending college in Greeley, Colo. Both were Eagle Scouts. A cabinet in the Shimada home is a trophy case for the medals, cups, and letters the boys won in high school. The youngest son is a high school senior this year.

The Shimada home is spotless. Orchids grow in the front yard. If you drop in to call Mrs. Shimada will insist that you have a piece of coconut pie or some other delicacy.

When asked how he feels about statehood, Shimada was thoughtful for a moment.

"Here's the way I look at it," he answered. "I have been an American all my life. I was born here. It is my country. I know no other. I have no feeling for any other country. I work and pay taxes to the U.S. Government. I want to do my part to support the Government. But in all my life I have never been permitted to vote for a President of the United States. Is that because I am not really an American after all? That is why I am in favor of statehood."

In all walks of life there are islanders who feel the same way.

Lorrin P. Thurston, chairman of the Hawaii Statehood Commission and a man with a wide variety of business interests, told me the hardest job he had as a father was to try to explain to his son, now a war veteran with an excellent record for service, why island Americans are not the equals, politically, of mainland Americans.

Dollars and cents reasons of statehood for Hawaii are numerous. Most Honolulu businessmen believe it would stimulate growth and commerce. Reasons of principle are the main consideration, however, Thurston believes.

Islanders laugh over many stories of the ignorance about the islanders that visitors from the mainland frequently show. The chamber of commerce is accustomed to receiving letters asking what language is spoken here, what currency is used and whether visitors are required to have visas.

FORTY-NINTH STATE?—STATEHOOD FELT TWO-WAY BOON

(By Leverett A. Chapin, associate editor, the Denver Post)

HONOLULU.—Not so humorous to Hawaiians are some of the misconceptions that visitors from the Orient have of the islands, according to Dr. Dai Ho Chun.

Dr. Chun, a University of Hawaii faculty member, is on loan to the U.S. Department of State to direct the reception center which the Department and the International Cooperation Administration operate in Honolulu.

"Three thousand visitors from 29 countries—mostly Asian countries—have passed through the center in 3½ years," Dr. Chun says. They include editors, doctors, engineers, government workers, local leaders.

Some come to study specific problems and American methods under ICA grant. Some take courses at the University of Hawaii. All are influential people in their own communities. Most of them get their first impression of America from what they see in Hawaii.

The lack of racial discrimination impresses them.

ASIANS SURPRISED BY TWO FACTORS

"But two things surprise most of them," Dr. Chun says. "One is that Hawaii, a modern, progressive, prosperous and democratic place, is not a State of the United States.

"The other is that the people of Hawaii do not want independence."

Most islanders are keenly aware that the attitude many orientals are going to have toward the United States is going to be influenced by what happens to Hawaii's statehood aspirations. Here is the part of the United States which lies closest to the threshold of the Far East. Here is the part of the United States which understands Asia, its people, its problems.

Yet this part of the United States which is best able to influence Asian thought about the United States is itself a "colony," a Territory, without a voice in determining American foreign policy, without a vote in Washington.

Statehood for Hawaii would have a heavy impact on the heavily populated countries of the Far East which are just emerging from colonialism themselves.

This is a reason for statehood which may seem theoretical to mainlanders. Out here in the Pacific where Asian visitors are arriving nearly every day, you get the "feel" of it and it seems very real.

STATEHOOD SHOULD BENEFIT UNITED STATES MOST

Since arriving here, another reason for statehood has occurred to me. It may be the most important of all.

It is entirely possible that statehood for Hawaii would do more for the United States—the mainland—than it would do for Hawaii itself. Of course, statehood

would fasten the eyes of the Nation on Hawaii more than ever before. Magazines and newspapers would be full of articles about the new State.

The President and many Governors would be here for the statehood celebration. Hawaii industry and the Hawaiian tourist business would receive a new push. American prestige as a truly democratic country—which is conquering racial prejudice—would soar.

But there is another consideration. The United States has not added a new State for 45 years. Perhaps we have begun to think of our country as mature—as a land without further frontiers to develop and populate.

The feeling of maturity is bad for a country, as it is for an individual. Russia does not feel mature. It is developing. Its policies are aggressive and sinister in that they are aimed at beating down individual liberties.

In our maturity we counter Russian moves—first Asia, then in the Middle East. Perhaps we are satisfied with our country as it is. Perhaps we are interested primarily in preserving the status quo. Certainly we have been on the defensive. We have not shown much vision in developing new policies.

URGED AS BOOST FOR U.S. MORALE

The granting of statehood to Hawaii would give a boost to American morale at a time when sputnik has hurt our pride if not our chances for survival. It is something positive we could do to demonstrate American ideas of fair play. It would convince the country that we have not reached the end of the road. There are new frontiers. We are still a great, dynamic country with youth in our veins, opportunities ahead, and great jobs to accomplish to perfect and enrich our democratic way of life.

This is an opinion appended to an otherwise largely factual account.

From this point of view, Hawaiian statehood is important not only for Hawaii itself, but for all of us who live in Colorado and the other 47 States.

As I prepared to leave Hawaii, Riley Allen, the editor of the Honolulu Star-Bulletin, offered a final thought:

"If Hawaii is not ready for statehood now, after writing an outstanding war record in the blood of its young men, after proving its ability to combat communism, after demonstrating its industrial potentials—if it is not ready for statehood now, it never will be."

[From the Denver Post, Jan. 23, 1958]

THE CASE FOR HAWAIIAN STATEHOOD

The Denver Post has just concluded the publication of a series of articles on Hawaii, its need for statehood, and the combination of political and other factors which have kept this booming Territory outside the Union of States for more than half a century.

The purpose has been to provide a better understanding of this strategically important crossroads of the Pacific, to document the grave injustice of keeping the 540,000 Americans of the islands in colonial status and to show that this country as a whole—not Hawaii alone—would benefit from a grant of statehood.

The Territorial government structure established by Congress in 1900 served well enough as long as Hawaii had nothing more than a semifederal, plantation economy. But it fails to meet the needs of the modern Hawaii—the Hawaii of rapidly developing, diversified small industry.

Hawaii elects a Territorial legislature and one delegate to Congress but the delegate has no vote in Congress and hence is deprived of effective influence. Hawaiians are not permitted to vote for President of the United States. The Governor of the Territory and the justices of the Territorial Supreme Court are appointed by the President of the United States with the consent of the U.S. Senate.

Under these circumstances the islands find themselves under serious disabilities. The islanders pay all the Federal taxes other American citizens pay but they are shortchanged when it comes to sharing in Federal projects and programs.

The most shocking illustration of this inequity is the fact that residents of Hawaii pay the higher gasoline and excise taxes which were voted by Congress to build the Interstate System of superhighways, yet none of this new highway money is allocated to Hawaii.

Hawaii, because of Territorial status does not share equally with the States in necessary Federal public works. Territorial status hampers the local legislature in its efforts to deal with pressing issues because it is sometimes necessary to obtain the concurrence of Congress before legislative acts can go into effect.

Because Hawaii is subject to the whims of absentee government, Hawaiian enterprises sometimes find it difficult to attract outside capital. It sometimes loses out on its share of Government contracts.

Territorial status dilutes the benefits of American citizenship for residents of the islands and it hurts them on a dollars and cents basis, also.

But, in the final analysis, statehood for Hawaii should be considered on the basis of whether it would be good or bad for the United States—not only on the basis of whether it would be good or bad for the islands themselves.

The mainlanders who enjoy statehood should realize there is a potential danger to America's position of world leadership in the fact that Hawaii is being kept as a colony.

Colonialism is collapsing all around the world and the United States has aided in its fall. But we are open to accusations that we practice colonialism ourselves as long as we withhold statehood from Hawaii. The people of Hawaii have been patient but if that patience should wear thin and the islands should make an appeal to the United Nations to investigate their right to enjoy a better status, the effect on world opinion might prove disastrous.

Even now some islanders are contemplating a possible appeal to the U.N.

As a State, Hawaii would be an invaluable asset to the United States. The Far East is destined to play an increasingly important part in world affairs and Hawaii has a better understanding of the Far East than any of the existing States.

Congress and Washington in general should have the benefit of Hawaiian advice and knowledge in the shaping of Far Eastern policy, yet without statehood, no U.S. citizen of the Hawaiian islands is empowered to speak with a voice which carries an authority or commands any attention.

Some opponents of statehood argue, Hawaii might send Americans of Japanese ancestry to Congress. We believe it would be a fine thing if Hawaii did, although it might not happen for some time.

Congress has members of Polish, Italian, African and other national origins. The election in California of a Congressman who was born in India has probably done more to enhance American prestige in southern Asia than all the foreign aid we have extended that area. A Japanese in Congress from Hawaii? Why not?

Statehood for Hawaii might be good for American mental attitudes, we believe. It would remind us we are a young country, still growing, still putting our ideas of freedom, equality of opportunity and representative government to practical tests in constantly expanding areas.

The case for statehood is so strong that it is difficult to believe Hawaiian colonialism will be permitted to endure much longer.

Senator CARROLL. Mr. Chairman, I have only this to say. With the fine statement of the distinguished Senator from California, and the comments of the Secretary of Interior and I believe the comments that I have read in the record by the Democratic majority leadership, this is no longer a political question, and as so ably described by the Senator from Idaho, Senator Church. This is more than just granting something to the Hawaiian Islands. This is something that we need. One of the great authors, Mr. Michener, said:

If we continue to deny the people of Hawaii statehood, they themselves will turn against us and they will ask for an independent status.

This is what has been happening all over the world. Most of the folks who come into the Hawaiian Islands from other countries, and some of the so-called colonial areas, do not understand the patience or the tolerance of these people of the Hawaiian Islands. The reason for it is that they are a patient people. They are American citizens. The time has come, in my opinion, to grant them statehood.

Senator JACKSON. Thank you, Senator Carroll.

Senator Gruening.

**STATEMENT OF HON. ERNEST GRUENING, U.S. SENATOR FROM
THE STATE OF ALASKA**

Senator GRUENING. Mr. Chairman, I understood that in preparing for this hearing you indicated that you would not like to hear anything but new testimony. I think that was a very wise suggestion because everything that needs to be said and that can be said in favor of Hawaiian statehood has been said again and again, and said with great eloquence and great conviction and great truth. As was evidenced this morning by the statement of Secretary Seaton and by my distinguished colleagues here on the dais by your own statements, Mr. Chairman, by Senator Kuchel who was so helpful to us in our fight for Alaskan statehood, and Senator Church, whose eloquence greatly speeded the admission of Alaska, and by the remarks of Senator Carroll it has all been said. Needless to say, I completely share their views.

I feel and have long felt ever since I came into the service of the Government 25 years ago that Hawaiian statehood was overdue and that it was more important for the United States to grant Hawaii statehood than for Hawaii to receive it. While the people of Hawaii will be the beneficiaries of becoming first-class citizens, their gains will be largely abstract and spiritual. Their gain will not be very much like that of Alaska, which stood to achieve many material gains in the liquidating, or the prospect of liquidating many specific economic discriminations which the people of Alaska suffered under their Territorial colonial status.

That is not the case with the people of Hawaii. The gain of the people of Hawaii will be the spiritual gain of becoming first-class American citizens and achieving that equality which is inherent in our faith and in our time-honored professions that we shall have no colonies, and that in the words of the Founding Fathers, all men were born free and equal. But it is our country as a whole that stands so much to gain by the admission of Hawaii. For Hawaii presents, not merely to the rest of the world, but to the sister States the finest example of ethnic democracy under the flag. In our constant striving to live up to our professions of democracy, to live up to the pronouncements so clearly enshrined in the declaration of the fathers of this country, and which are deep seated in our convictions, we can find no finer example of materializing those ideals than we find in Hawaii.

Therefore, I think Hawaiian statehood will greatly strengthen the Union. It will strengthen our faith in ourselves. It will reaffirm our ancient convictions to admit Hawaii as the 50th State.

I would like to take this occasion to pay a particular tribute to Hawaii's Delegate Jack Burns, whose statesmanlike attitude and performance in the 85th Congress cannot be praised too highly. At what were clearly grave political risks, but with full understanding of the complexities and intricacies of the situation, he refused all blandishments and wisely declined to advance the cause of Hawaii simultaneously with that of Alaska. While that could have been easy to do because the case of Hawaii was much older, because Hawaii was qualified for statehood long before Alaska was, he nevertheless realized that on the basis of past experience—on the basis of what happened a few years ago—when Alaska was advanced by those who did not want to see either Alaska or Hawaii become States, with

the object of defeating both, the action and attitude of Delegate Burns was both statesmanlike and clearly correct. In consequence, I am convinced that this Congress will early admit Hawaii as the 50th State. It will be, I think, the greatest achievement of this Congress, and, coupled with admission of Alaska in the 85th, perhaps the greatest achievement of Congress in this entire decade.

I think that all the arguments that have been advanced in the past against the admission of new States have fallen to the ground. The last one, the argument of noncontiguity, has been eliminated, for when Alaska was admitted, we all realized that in this rapidly shrinking world distance and physical separation no longer matter.

In addition to the great contribution that Hawaii will make as our outstanding example of ethnic democracy, Hawaiian statehood will be a great gesture to the uncommitted peoples of the world, as a proof that America practices what it preaches. Hawaii also has other things to contribute. It contributes that cultural diversity which those who have been to Hawaii have found so winning and so beautiful. One comes to Hawaii and is greeted by music and flowers. Music and flowers accompany one throughout one's stay. One leaves amid music and flowers. The aloha spirit of kindness and friendliness which contains so much of the Golden Rule is something the world needs more of. As we admit Hawaii to statehood, as I am confident we will, we will be hailing that great spirit and incorporating it in the entire Union.

Senator JACKSON. Thank you, Senator Gruening.

Senator Moss.

Senator Moss. I have no comments.

Senator JACKSON. Senator Bartlett was here a few minutes ago and was called away to another committee meeting, and desires to make a statement a little later. Senator Bennett has submitted a statement, which I direct appear at this point.

(The statement is as follows:)

STATEMENT BY HON. WALLACE F. BENNETT, A U.S. SENATOR FROM THE STATE OF UTAH, ON HAWAII STATEHOOD

Mr. Chairman, Hawaii is now and for many years has been fully qualified for statehood. Last year, Congress admitted Alaska into the Union, an area much less ready for statehood than in Hawaii. Congress would be manifestly unjust if it did not now admit Hawaii to the Union; failure to do so would be the rankest discrimination.

The arguments for statehood are so overwhelming that I need not dwell upon them at length. After conducting 22 hearings since 1935 and amassing a record of 6,600 pages, not including this hearing, the Interior Committees of Congress should not be further belabored. I have visited Hawaii twice within the past decade and I can personally testify as to the complete readiness of the people of Hawaii for statehood. Their economy is sound, much more so than that of Alaska's. Indeed, Hawaii will be the richest territory ever to be admitted to the Union. The \$166 million in taxes which the people of Hawaii contributed to the Federal Treasury last year can hardly be regarded as inconsequential, particularly since it exceeds the amount paid by some of our present States.

Hawaii has a population of 613,000 people, which will make it larger than all but one State at the time it entered the Union. The loyalty of the Hawaiian people has been so frequently demonstrated that there remains no reasonable doubt as to their patriotism and devotion to the United States. At a time when Japanese-Americans were subjected by our Government to rather shameful treatment both in Hawaii and on the mainland, they remained steadfast and loyal. The record of these people in our armed services requires commendation,

not apology. The loyalties of the Nisei in Hawaii are no different than the Nisei in Utah, and they are among our finest citizens.

Some people have raised the question of communism in Hawaii. The Korean war gave the clearest possible refutation to this argument. The record of the Hawaiian-Americans in the Korean war was excellent as glowingly testified to by our military leaders. Moreover, Hawaii was a vital link in our supply lines to Korea during the entire war. Not only the military but also the Department of Justice supports Hawaiian statehood. The statehood bill will actually increase the ability of the Hawaiian people to stamp out communism.

There is a great community of interest between my own State and the people of Hawaii. Many Utahans now live in Hawaii and many more travel to the islands, often for extended visits. Many Utahans assist in building schools and churches in Hawaii through their financial support of the Mormon Church, which has many members on the Islands.

We in Utah, even though we were fully qualified for statehood, had to wait 46 years before our admission. We are therefore naturally sympathetic to the plight of Hawaii, which has been awaiting admission to the Union for 56 years. There should be no further delay; the time has arrived for creation of our 50th State. I am proud to be a sponsor of S. 50, which would admit Hawaii, and I urge the committee to speedily report it favorably to the Senate.

Senator JACKSON. Senator Clair Engle also, I understand, has a statement that he would like to make. If there is no objection, the statement will be included in the record at this point.

(The statement referred to follows:)

STATEMENT OF HON. CLAIR ENGLE, A U.S. SENATOR FROM THE STATE OF CALIFORNIA,
ON HAWAII STATEHOOD

I am very hopeful that this will be my last appearance before a congressional committee in behalf of Hawaii statehood.

It is not my intention today to go into any lengthy documentation of the case for Hawaii statehood. The record is formidable. It is replete with testimony that demands that the 86th Congress act without fail to make Hawaii our 50th State. For a number of years as a member of the House committee dealing with Territorial matters and as its chairman for 4 years, I was deeply involved in the question of statehood. I am convinced without question that the Territory of Hawaii has long been ready for statehood and that we will be guilty of grave dereliction if we delay any longer to bring it about.

The smokescreen of spurious arguments advanced by the opponents of Hawaii statehood has been thoroughly pierced, and in its disintegration it has been shown up for what it is—a device to hide the personal motives of the opponents of statehood.

The favorite line of the opposition has been to impugn the loyalty of Hawaii's citizenry, but the evidence shattering their accusations continues to grow in strength and volume. In June of 1953 Senator Hugh Butler, onetime foe of statehood because of possible Communist influence, made this statement at a Senate hearing:

"I believe the residents of Hawaii during the past 4 years * * * have demonstrated by positive action their awareness of the Communist danger and their determination to face it frankly and never let it strengthen its foothold. During those years they have fought it boldly, have restricted its influence, and to some degree have driven it underground. I believe they have shown that they are as well able as the Federal Government to cope with this measure."

James Michener, in his article in the December 1958 Reader's Digest came to this conclusion after an extensive study:

"Hawaii does suffer from a Communist threat. So do San Francisco and Baltimore—and all America. Hawaii's problem is no different from that of any other area. * * *

"Hawaii is not a captive of the Communists. It is fighting back exactly like any mainland community. Its record is impressive."

It is no longer necessary to answer the argument of noncontiguity. It was answered firmly and finally when Congress last year made Alaska our 49th State. And there is no need to dwell on the argument of small population. It has been soundly refuted by the fact that Hawaii's 550,000 population exceeds that of five of our present States.

There remains then the basic question of whether Hawaii is economically, socially, and politically ready to become a State. These tests have all been met. There is no disputing the cold, hard facts and figures that point up the economic prosperity of Hawaii. There is no mistaking the American culture and philosophy that dominates the lives of Hawaii's polyglot mixture. And there is no disputing the political maturity of the men and women in the legislative halls and the executive corridors of the Territory of Hawaii.

Last fall a joint congressional committee visited Hawaii. It went there with open eyes and open mind, self-consciously aware of the need to keep itself free of preconceived ideas and foregone conclusions. Members of the committee walked and rode and flew around the islands talking to people in every phase of life and meeting with labor and business groups and with fraternal, political, and community organizations. The committee came back enthusiastic. It came back secure in its conviction that Hawaii must become a State. In its report the House members of the committee concluded that "admission of Hawaii, with its mixed races and its geographical position will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly."

Hawaii will, of course, benefit immeasurably from statehood. But let us not underestimate the economic, political, and diplomatic advantages that the United States, as a nation, will gain in having as a strong outpost in the Pacific a member of its family of States. Let us not underestimate the fact that if we fail to bring Hawaii into this family we face the possibility of the Territory becoming a Commonwealth and all that that implies—a nation that belongs to us and yet does not.

In conclusion, I want to emphasize that the issue of Hawaii statehood is as much an international as it is a domestic issue. The nations in the Far East and elsewhere are watching us very closely on this. If we want to maintain the faith and confidence in us as a great democracy, we cannot afford to equivocate on this matter. There is a gap here between our pretensions and our performance. Let us close the gap by waiting no longer to make Hawaii our 50th State.

Senator JACKSON. The Chair now would like to call on the able and distinguished Delegate from Hawaii who has done such an outstanding job of statehood for Hawaii, and as Senator Gruening has ably pointed out, a very effective proponent of statehood for Alaska last year.

STATEMENT OF HON. JOHN A. BURNS, DELEGATE TO CONGRESS FROM THE TERRITORY OF HAWAII

Delegate BURNS. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I have a prepared statement which I would request permission to have inserted in the record, and which in the interest of time I will try to highlight.

Senator JACKSON. Without objection, it will be included at this point.

(The statement referred to follows:)

STATEMENT OF HON. JOHN A. BURNS, DELEGATE TO CONGRESS FROM HAWAII

Mr. Chairman and members of the committee, it is an honor for me to have the opportunity of appearing before this committee to testify about the readiness of the people of Hawaii for statehood.

The subject of statehood for Hawaii has been before the administrative and legislative branches of the Government of the United States since 1854. Twenty-two congressional investigations have been held on this subject in Hawaii and Washington. Some thirty-four volumes of testimony have been printed by Congress. This official record is 6,600 pages long.

Since 1946, each congressional committee directly investigating statehood has concluded that Hawaii has entirely fulfilled the historical requirements for State government, and beyond this, that Hawaii as a State in the Union would

prove, in several respects, a unique and an invaluable asset to the United States.

The most recent committee review was concluded earlier this month by the House Committee on Interior and Insular Affairs. Its favorable recommendation that the statehood bill do pass is contained in report No. 32, dated February 11, 1959.

This report gives the background of statehood legislation and a résumé of Hawaii's qualifications for State government. It emphasizes Hawaii's growth in population, and its strong economy. It covers such subjects as agriculture, tourism, national defense, transportation, utilities, and labor force, and gives current data about each.

The bill before the Senate committee was introduced by Hon. James E. Murray and more than 50 cosponsors. It provides for the recognition of the fact that the constitution of Hawaii was adopted on April 4, 1950, by the convention established for that purpose; and adopted on November 7, 1950, by the voters of Hawaii by a 3 to 1 majority; that it is republican in form; and that Hawaii is to be admitted as a State.

A previous report of the Senate Committee on Interior and Insular Affairs points out that there have been throughout our history three standards required for admission to statehood:

(1) That the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government.

(2) That a majority of the electorate desire statehood; and

(3) That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

With regard to the first requirement—that the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government, the people of Hawaii are thoroughly American. They have been steeped in American tradition since the teachings of the New England missionaries began in Hawaii in 1820. It is no wonder our youngsters of many heritages speak with pride of "our Pilgrim forefathers." Hawaii's record during wartime is a proud one. Participation by all of the people of Hawaii in the World War II efforts, for example, brought much praise from such military leaders as Adm. Chester W. Nimitz, whose testimony is part of the record.

Hawaii is living proof that democracy as advocated by the United States affords a solution to some of the problems plaguing the world. The citizen of Hawaii, the new man of the Pacific, with his love for American democracy, is our Nation's most effective bridge to the Asian world.

With regard to the second requirement—that a majority of the electorate desire statehood—the record is quite clear. This record will be brought up to date if the plebiscite recommended in H.R. 4122 be held. History shows that in 1941, Hawaii's electorate voted 2 to 1 for statehood. In 1950, on approving the constitution of Hawaii, the people voted 3 to 1 favor of adoption. The legislature of Hawaii has petitioned Congress many times for statehood. Numerous organizations and associations have also urged that Hawaii be granted statehood, Hawaii's people urgently desire to participate in the full responsibilities of American citizenship.

Hawaii's population and its resources are known to be sufficient to support State government, and to provide its share of the cost of the Federal Government. Our board of health on July 1, 1958, shows the population of Hawaii to be about 582,000 people—a population larger than that of several States. Its resources to support the costs of government are many and varied.

Territorial tax revenues from all sources for the fiscal year ended June 30, 1958, amounted to more than \$122 million.

Federal taxes paid to the United States Treasury in 1957 amounted to \$164,479,000. This is a sharing of the cost of our Federal Government which exceeds, in amount, that of several of the States.

Figures on Hawaii's business and economic conditions show, in 1958, that our personal income totaled more than a billion dollars. The 1958 per capita income exceeded that of 26 States.

Hawaii's 27 sugar plantations recently harvested 1,084,000 tons of raw sugar from more than 100,000 acres of land. In 1957, 16,791 employees earned a total of \$56,123,000. This is an average annual income of \$3,342.

Pineapple production, like sugar, may be described as "industrialized agriculture." The industry cans about 30 million cases of pineapple and juice per year, valued at \$115 million. The total value of diversified agriculture products (crops and livestock) amounts to less than one-fifth of the aggregate value of sugar and pineapple—but they show possibilities for growth in the years that lie ahead.

Tourist trade in Hawaii has recorded a far more rapid growth during the postwar period than any other economic activity—from \$6 million annually in 1946 to nearly \$80 million in 1957—over a 1,000 percent increase. There were 170,000 visitors in 1957, and the jet aircraft will soon help double that figure.

In 1957, military expenditures in the Territory totaled \$308 million.

Other economic conditions are reflected in the following:

Retail trade showed substantial gains from \$612 million in 1956, to \$666 million in 1957.

The gross assessed valuation of real property is about \$2 billion.

The construction industry did a volume of business estimated in excess of \$135 million in 1957—a peacetime high. The estimated total for 1958 is \$200 million.

The labor force numbers approximately 210,000.

Our country, the United States of America, has always championed the rights of the American citizen. We have stressed, too, the responsibilities of citizens that are a real part of these rights.

Statehood for Hawaii would accord its half-million American citizens specific rights presently not theirs:

1. The right of voting representation in both the Senate and the House of Representatives;

2. The right to vote for the President and Vice President of the United States;

3. The right to choose their own Governor and to carry on functions of government by their own elected officials instead of Federal administrators;

4. The right to determine the extent of the powers to be exercised by their own legislature;

5. The right to have local justice administered by judges selected under local authority rather than by Federal appointees;

6. The right to freedom from overlapping of Federal and local authority; and

7. The right to a voice in any proposed amendment of the Federal Constitution, as well as on the taxes which they must pay.

These rights are historical rights in the United States of America, and should be granted during this session of Congress to the people of Hawaii.

Delegate BURNS. I first would like to acknowledge the kind compliments which you and the members of the committee have paid to me. I might say that my interest in Alaska was that of an American but primarily it was in the enlightened self-interest of Hawaiian statehood for my own constituents. It is a distinct honor and privilege to appear before this distinguished committee this morning to testify about the readiness of the people of Hawaii for statehood and on behalf of the bill before you, and I wish to acknowledge the expression of trust and confidence, and believe in the people of Hawaii by the distinguished sponsors of the bill in the Senate. Some 55 Senators are cosponsors of the bill which I believe is one of the highest figures that has ever been reached on any Senate bill.

The subject of statehood for Hawaii has been before the administrative and legislative branches of the Government of the United States since 1854. Twenty-two congressional investigations have been held on this subject in Hawaii and Washington. Some 34 volumes of testimony have been printed by the Congress. This official record is 6,600 pages long.

Since 1946, each congressional committee directly investigating statehood has concluded that Hawaii has entirely fulfilled the historical requirements for State government, and beyond that, that

Hawaii, as a State in the Union, would prove in several respects a unique and invaluable asset to the United States.

To try to bring in fresh information, though some of it might be repetitious to that introduced by Secretary Seaton, whose invaluable assistance is acknowledged with deep gratitude, Hawaii's population and its resources are known to be sufficient to support State government, and to provide its share of the cost of the Republic.

Our Board of Health on July 1, 1958, shows the population of Hawaii to be about 582,000 people, a population larger than that of several States. The Territorial tax revenues from all sources for the fiscal year ending June 30, 1958, amounted to more than \$122 million. Federal taxes in 1958 amounted to \$166,306,000, as reported by Secretary Seaton. Figures on Hawaii's business and economic condition show that in 1958 our personal income totaled more than a billion dollars. The 1958 per capita income exceeded that of 26 States. Hawaii's 27 sugar plantations harvested 1,084,000 tons of raw sugar. In 1957, 16,791 employees earned a total of \$56,123,000, an average annual income of \$3,042. The pineapple industry is industrial agriculture as is sugar. The industry cans about 30 million cases of pineapple juice per year providing \$115 million. The total value of diversified products, crops and livestock, amounts to less than one-fifth of the aggregate value of sugar and pineapple, but they show possibility of growth in the years that lie ahead.

The tourist trade in Hawaii has recorded a more rapid growth during the postwar period than any other economic activity. From 6 million annually in 1946 to nearly 90 million in 1957, over 1,000 percent increase. In 1957, military expenditures in Hawaii totaled \$308 million. Retail trade showed substantial gains from \$612 million in 1956 to \$666 million in 1957.

The gross assessed valuation of real property is about \$2 billion.

The construction industry did a volume of business estimated in excess of \$137 million in 1957, a peacetime high. The estimated total for 1958 is \$200 million.

The work force of Hawaii numbers approximately 210,000.

I would like to refer to the statement which the distinguished chairman of this committee made, and to close my presentation with this particular remark:

Hawaii offers a population equipped by background and daily life for living among and dealing with the peoples of the Far East and the Near East, virtually billions of people. Hawaii's people possess the essential qualities needed to symbolize the United States to the world, and particularly to those of the Pacific Ocean area and Asia. Hawaii's people are Americans who have distinguished themselves in war and in peace by their demonstrated dedication and devotion to the American ideals. In Hawaii are people of Oriental ancestry, Polynesian ancestry and Caucasian ancestry, working and living together in intimate association. Here there is no racial prejudice of people, true to the tradition of the Polynesian Hawaiian, who raise no barrier of race, color, or creed. Here in Hawaii are found Americans with an understanding and a tolerance of the cultures of many people with whom the global, political, and commercial involvements of the United States are vitally concerned.

The president emeritus of the University of Hawaii in 1956 said—

Hawaii is infinitely more important than its small area would seem to indicate. It is far more than a playground for tourists, far more than a military outpost. It is the path of the United States into a future world understanding.

Such success as our program has enjoyed in Asia and in the Far Pacific Ocean area to date has been due in large measure to some 4,000 Hawaiian citizens, Americans all, working in those areas as a part of our economic, social and political programs in those areas. Except for the field of the top leadership to which our territorial status does not particularly contribute, Hawaii's people have met the test to the honor and credit of the United States, and to the welfare of the people of the United States. Hawaii's people not only desire the wider horizons, but it is necessary to the welfare of the United States that they be given the greater horizons that will be available to them under statehood.

Mr. Chairman, I am available to the committee for any help that I can give in the future consideration of this bill and to any questions that I may answer.

Senator JACKSON. Thank you for your very fine statement, Delegate Burns, and we would like for you to stay through the hearings and likewise during the markup of the bill, if there is no objection.

Senator CARROLL. Mr. Chairman I would like to make a comment on our trip that we have discussed, with Senator Church and members of the House. Delegate Burns met us in the city of Hilo on the Island of Hawaii. He stayed with us throughout the trip. He made arrangements so that the House delegates, most of whom traveled all over the Island, with business groups, labor groups, gave us full cooperation, and as the former Governor Gruening, now Senator Gruening, has indicated, he was hard put to it by virtue of his support of statehood for Alaska, his people felt during the last election that perhaps he sold them out. He had a hard time explaining his position, but he did explain it successfully.

My point is now to say to Delegate Burns that with these 56 Senators, you not only have quantity, but I hope you have some quality, too. I think this bill will come through the U.S. Senate in good shape. You have made a very fine presentation. No man—I have watched them down through the years—ever fought harder for Hawaiian statehood than you did. That is the consensus of the opinion of the men who have been in the Hawaiian Islands.

Senator KUCHEL. Mr. Chairman, I would like, as a representative of the minority on this committee, to echo the sentiments which have been reiterated by the junior Senator from Alaska and the junior Senator from Colorado. Delegate Burns, you took the path of statesmanship and you avoided the path of demagoguery last year. I salute you for doing it. I think that many of those who wanted you and who urged you to demand that Hawaiian statehood be given equal consideration with the Alaskan statehood were interested not in helping Hawaii, but in banging the door shut on both territories. As far as I am concerned, you performed in a highly creditable manner for the people you represent here in the position you took with respect to the problem last year of statehood for Hawaii.

Delegate BURNS. Mr. Chairman, may I comment in response that I appreciate very deeply the kind compliments, but I believe I actually represented the character and integrity and the deep loyalty and faith of the people of Hawaii, and I trust that I was their true representative in what I did.

Senator JACKSON. Thank you very much, Delegate Burns.

Senator Bartlett, we would be delighted to hear from you now.

**STATEMENT OF HON. E. L. BARTLETT, U.S. SENATOR FROM THE
STATE OF ALASKA**

Senator BARTLETT. Thank you, Mr. Chairman and members of the subcommittee. I fear that I may be appearing before you somewhat in the role of an imposter for I must confess that I am brought here today more by an exercise of desire than of reason. This is because the distinguished chairman of the subcommittee, Senator Jackson, stated previously, and very properly, in my opinion, that he desired to hear only witnesses who could contribute something new to the subject. That I cannot. I doubt very much whether anyone else can, either pro or con. Everything that can be said, I believe, on the subject of Hawaii statehood for and against has been said. I was delighted to learn that this subcommittee is not going to conduct extended and extensive hearings. The record already made speaks for itself. Nothing new has been added. I appear here only to restate a long and deep and affirmative interest.

Ever since I came to Washington over 14 years ago, I have believed firmly in Hawaii statehood. If I did not so believe I think I would have been converted by the testimony before the House Committee on Interior and Insular Affairs, by the testimony of Admiral Nimitz many years ago, when he appeared before that group in advocating statehood for Hawaii.

Mr. Chairman, I have taken the position that independent of any other legislative considerations, Hawaii was entitled to statehood. Back in March 1953, when the cause of Alaska statehood appeared to be very bleak, I said these words to the House of Representatives when a bill for Hawaii was being debated:

I want to say here that if I were convinced at this moment that Alaska would never attain statehood, or at least never in our time, that notwithstanding I should be for Hawaii statehood, and would hope that this House would pass a bill providing statehood for Hawaii, because not only are the people of Hawaii abundantly entitled to statehood but the granting of it would reflect to the glory and benefit of the United States.

Mr. Chairman, someone said years ago—so long ago that the prospect and the hope for statehood for either Hawaii or Alaska was very slight—that Hawaii was more entitled to statehood, Alaska needed it more. That someone meant, of course, that Alaska needed statehood more in the concept of the traditional western territory, for grants of land and for other purposes, so that it could expand and grow. He meant, as I understood it, that Hawaii had passed at that time every test ever applied to any Territory seeking admittance to the Union, and was prepared then, as it has been ever since, to enter the Union as a State. That someone who made that remark, which has remained with me all this time, and which I believed and believe to be exactly descriptive, was none other than the junior Senator from Alaska, Ernest Gruening. At that time he was Governor of Alaska.

Mr. Chairman, statehood comes to a territory as it came to Alaska because of the work and will of many thousands of people. There are always, of course, some leaders of any such movement. I would want to join the others who have spoken here this morning in praising Secretary Seaton for his advocacy of the cause of Hawaii statehood. He has made a fine statement here, and from our experience with his ef-

forts relating to Alaska, I know that his contributions will be constant, massive, and effective.

I recall ever so well how the course of Alaska statehood changed, and for the better, after Secretary Seaton came to office. I would not want to close, Mr. Chairman, without adding my word to the voices of the other Senators who have spoken on this subject concerning the policy adopted last year by Delegate John A. Burns of Hawaii when he stood for Alaska statehood. Had he yielded to the pressures which were exerted upon him and very forcibly, and in considerable numbers, I am convinced that Alaska would not now be a State and that statehood for either Alaska or Hawaii might be far distant.

Mr. Chairman, I know because of the work of this committee a Hawaii statehood bill will be soon on the floor of the Senate. During my time in that body, I shall cast no prouder vote than the one that I intend to give for Hawaii statehood. Thank you.

Senator JACKSON. Thank you, Senator Bartlett.

Senator CHURCH. Mr. Chairman, now that all members of the committee have expressed themselves on the subject before us, I just want to express what may be a vain hope that the same degree of unanimity exists on the floor of the Senate as exists in this committee.

Senator KUCHEL. I want to tell my good friend, Senator Church, that I share his hope, but I think we will both be a little frustrated.

Senator JACKSON. Time will take care of it, I think, pretty well. The question is how much time.

Senator CARROLL. How much frustration.

Senator JACKSON. I would not say frustration. I would say how much patience.

Senator CARROLL. I think with the chairman. There will be some contest, but the chairman's great leadership will carry us over that hurdle.

Senator KUCHEL. I will join Senator Carroll in his comments.

Senator JACKSON. The Chair would like to inquire as to whether or not there are any additional witnesses, other than the ones that I am about to read, who desire to be heard in connection with these hearings? The Chair intends to call next the General Counsel for the Civil Aeronautics Board, Mr. Stone, and after that Mr. William Heen, former Territorial Senator from Hawaii, and vice chairman of the Hawaiian Statehood Commission, and then Mrs. Margaret Hopkins Worrell, past president of the Ladies of the Grand Army of the Republic, and Mr. Mike Masaoka, who is the Washington representative of the Japanese American Citizens League.

Is there anyone else who desires to be heard?

The Chair asks the question because if there is no objection, we intend to resume at 2 o'clock this afternoon, and possibly finish the hearings today. If anyone desires to be heard, the Chair would like to know in the interest of working out the program for the balance of the day. The Chair hears no request to testify, and the schedule then will be pretty much as indicated by the list of witnesses.

The next witness is Mr. Frank Stone, the general counsel for the Civil Aeronautics Board.

Senator CARROLL. Mr. Chairman, before Mr. Stone begins his testimony, I must be excused. I have to go to an Anti-Monopoly Subcommittee hearing, and I apologize to the folks who have come all the way here from the Hawaiian Islands.

Senator JACKSON. Before the Senator leaves, the Chair would like to announce that if we finish the hearings today, I should like to call a meeting of the subcommittee for tomorrow morning in executive session to proceed to markup the bill, with the hope that we will finish it either tomorrow or the next day, so it can be submitted to the full committee at the regular meeting on Tuesday for committee action. I would just like to announce that now, unless there is objection to the contrary. I think that because all members of the committee are aware, of course, that this bill was reported out last summer, we have the report, there may be some minor modifications but I do not anticipate any major changes. So the task of drafting or revising the bill will be for the most part minor. We will meet this afternoon at 2 and at 10 o'clock in the morning in executive session as a subcommittee to mark up the bill.

Senator JACKSON. Mr. Stone, do you have a prepared statement?

**STATEMENT OF FRANKLIN M. STONE, GENERAL COUNSEL OF THE
CIVIL AERONAUTICS BOARD**

Mr. STONE. Yes, I do, Mr. Chairman.

Senator JACKSON. I assume you would like to proceed to read it.

Mr. STONE. If I may.

Senator JACKSON. You may proceed.

Mr. STONE. Mr. Chairman and members of the committee, my name is Franklin M. Stone. I am general counsel of the Civil Aeronautics Board. I appreciate the opportunity of appearing before the committee and discussing the effect of S. 50 in relation to the regulatory responsibilities of the Civil Aeronautics Board under the Federal Aviation Act of 1958.

The Federal Aviation Act bestows upon the Board the powers of economic regulation of air transportation (title IV) and of investigation of aircraft accidents and other matters pertaining to safety in air navigation (title VII). The economic regulatory function includes, among other things, licensing of air transportation, rate-making, and approval of mergers, common control and contracts between air carriers.

Licensing by certification of air transportation from the United States to its territories or possessions and within the territories or possessions, as well as foreign air transportation, and the issuance of foreign air carrier permit, are made subject to presidential approval by section 801 of the act.

The air transportation situation as it relates to Hawaii may be briefly described as follows:

Regularly scheduled air transportation within the islands is furnished by two certificated air carriers, Hawaiian Airlines, Ltd., and Aloha Airlines, Inc. (formerly Trans-Pacific Airlines, Ltd.).

Regularly scheduled air transportation between the islands and the mainland is furnished by the certificated air carriers, Northwest Airlines, Inc., Pan American World Airways, Inc., and United Air Lines, Inc.

None of these carriers is currently receiving subsidy.

If I may interpolate at this point I would like to explain that last statement a little bit. None of these carriers are currently receiving

subsidy. It should be pointed out that application for subsidy is pending. That is, the carriers are on open rates. Whether or not they will be entitled to subsidy will depend upon evidence that is presented and the understanding reached between the Board and the carrier on the basis of financial condition.

Senator KUCHEL. Have all the carriers you have mentioned here filed such application?

Mr. STONE. That would apply to Hawaiian and Aloha Airlines and not the other carriers.

Additional service between the United States and Hawaii is provided by supplemental air carriers and three regularly scheduled foreign air carriers are operating to the islands under the authority of permits issued by the Board under section 402 of the Federal Aviation Act. They are Canadian Pacific Airlines, Ltd., Japan Air Lines Co., Ltd., and Qantas Empire Airways, Ltd.

All the air carriers I have mentioned are of course operating subject to the regulatory controls provided in the act.

In order to determine the changes that will take place with respect to the economic regulation of these air carriers upon the admission of Hawaii as a State, it is necessary to examine some of the provisions of the Federal Aviation Act rather closely.

Under the Federal Aviation Act of 1958, the Civil Aeronautics Board exercises economic regulatory jurisdiction over carriers engaging in interstate air transportation, overseas air transportation, and foreign air transportation. "Interstate air transportation" is defined in relevant part to mean (a) transportation between a place in any State and a place in any other State, or (b) between places in the same State through the air space over any place outside thereof, or (c) between places in the same Territory of the United States.

"Overseas air transportation" is defined in relevant part to mean transportation between a place in any State and any place in a Territory of the United States.

The regulatory jurisdiction of the Board over interstate and overseas air transportation extends to authorization to engage in such air transportation, to the fixing of rates (or at least maximum and minimum rates) for the carriage of persons and property, and to mail pay and subsidy, as well as to such matters as mergers, contracts between carriers, and so forth.

The Board now exercises economic regulatory jurisdiction over air transportation between the continental United States and the Territory of Hawaii by virtue of the definition of "overseas air transportation" cited above.

The Board now exercises economic regulatory jurisdiction over air transportation within and between islands of the Territory by virtue of the portion of the definition of "interstate air transportation" which includes transportation between places in the same Territory.

Upon the admission of Hawaii as a State, the Board would continue to exercise economic regulatory jurisdiction over air transportation between the State of Hawaii and the continental United States, by virtue of the portion of the definition of "interstate air transportation" which refers to transportation between the States.

Under the existing status of Hawaii as a Territory, the Board's certification powers with respect to air transportation within Hawaii

are subject to approval of the President pursuant to the provisions of section 801 of the act. Likewise subject to Presidential approval are the Board's certification powers with respect to air transportation to and from Hawaii would become interstate air transportation, and hence the Board's certification powers in connection therewith would no longer be subject to Presidential approval.

Air transportation within or between the islands would become either intrastate transportation, or to the extent that it passed through airspace over a place outside the new State, or involved carriage of traffic moving across the boundaries of the new State, would become interstate air transportation, and hence no longer subject to Presidential approval.

To the extent that the channels and waters between the islands comprising the land area of the State of Hawaii are not defined or considered to be a part of the State of Hawaii, the Board would also continue to exercise regulatory jurisdiction over air transportation between the islands by virtue of the definition of interstate air transportation, since the carrier would be traveling between points within the same State, but through the airspace outside thereof.

In *United Airlines et al. v. Public Utilities Commission of California et al.* (109 F. Supp. 13 (N.D. Cal., 1952), reversed without reference to the merits, 346 U.S. 402), a U.S. district court held that the Public Utilities Commission of California lacked regulatory power over a carrier flying between California and the island of Catalina off the California shore, on the ground that the waters between the mainland and Catalina were not waters of the State, so that the carrier would be traveling through airspace not a part of the State.

Senator KUCHEL. Is the trial court decision still recognized by the Board as valid since you go on to say here that the Supreme Court reversed it without reference to the merits?

Mr. STONE. We still feel that decision is binding.

Senator KUCHEL. Is a sound one?

Mr. STONE. Yes, sir; Senator.

Senator KUCHEL. That, I suppose, is on the ground that the historic decision of the Government of the United States and its territorial waters are 3 miles seaward of the low water?

Mr. STONE. That is correct, sir.

Transportation by air which originates and terminates on the same island and does not involve flight through airspace outside the State or carriage of traffic moving in interstate or foreign commerce would be under the jurisdiction of the State of Hawaii. Moreover, if the channels between the islands comprising the State of Hawaii are defined or considered to be part of the State, the State of Hawaii will acquire economic regulatory jurisdiction over transportation which originates at any point in the State and terminates at any other point in the State, even if traveling over the channels, with the exceptions just stated.

Such traffic would be considered intrastate traffic. If the carrier traveling between two islands took a route which went outside the waters defined or considered to be part of the State, such transportation would be subject to regulation by the Board.

The State of Hawaii would also acquire jurisdiction over the supplemental air carriers and air taxi operators to the extent that air transportation would become purely intrastate.

The foregoing assumes that a carrier is not carrying the United States mails. Carriers engaging in wholly intrastate transportation must nevertheless obtain Board authorization for the transportation of mail. It also does not take into consideration possible extension of Federal jurisdiction by virtue of the provisions of section 15 of the statehood bill, hereinafter referred to.

Under section 2 of S. 50 it is provided that the State of Hawaii shall consist of—

all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this act * * * with certain named exceptions.

The boundaries are not otherwise described. If the territorial waters, referred to in the bill, do not include all the water between the main islands, the Board would continue to exercise regulatory control over air transportation between the islands, for, as I have already indicated, such transportation would be, and I quote "between places in the same State of the United States through the airspace over any place outside thereof * * *".

Whether the Board is to continue to exercise regulatory control of transportation between the islands is a question to be decided by the Congress. This question can be resolved either by clarifying or amending the Statehood Act, to specify the status of the waters between the islands either generally or for purposes of transportation jurisdiction or by appropriate amendment to the Federal Aviation Act.

The latter course would have the advantage of permitting the Congress to focus on the particular problem, divorced from the broader considerations pertaining to the admission of Hawaii as a State.

The Board wishes to emphasize that it takes no position with respect to these problems, as it believes the extent of Board jurisdiction in relation to transportation between the islands, is a matter of policy for the Congress to determine.

I would now like to comment on section 15 of S. 50. This section is similar to section 8(d) of the Alaska Statehood Act, approved July 7, 1958 (Public Law 85-508).

Section 8 (d) of the Alaska Statehood Act provides that laws—

enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union—

shall be regarded as "Territorial laws" and that such laws shall continue in force and effect throughout the State except as modified or changed by action of the State legislature.

The foregoing language has been interpreted throughout the Federal Government as continuing in effect in the State of Alaska those portions of United States laws which provide for the regulation of intraterritorial commerce by agencies of the United States. In the language of section 8(d), such laws will continue in effect "except * * * as modified or changed by the legislature of the State."

That view as I understand it in relation to the Federal Aviation Act rests in part upon the belief that Congress intended regulation of air transportation to continue as before until the new State had opportunity to legislate on the subject in proper areas of State concern. It further is assumed that the similar language used in the

Hawaii statehood bill is intended to be given a like interpretation in relation to aviation matters.

In this connection, I understand that legislation is presently under consideration which would provide a definite cutoff date beyond which such "Territorial laws" of the United States would cease to apply. In the absence of an explicit date, confusion might arise as to the continued responsibility of a Federal agency.

Under the circumstances, it would appear desirable to specify in S. 50 a definite period from the date of Hawaiian statehood beyond which the "Territorial laws" of the United States would no longer apply.

I would also like to call the committee's attention to the Board's function under the loan guarantee provisions of Public Law 85-307. That law authorizes the Board to guarantee loans for the purchase of aircraft by air carriers certificated for local service operations, and certain other operations, including service in Hawaii and Alaska.

The act refers to operations within the "Territory of Hawaii" and the "Territory of Alaska." While in our opinion the loan guarantee law would remain applicable after Hawaii becomes a State, the committee may nevertheless wish to include a specific provision in the bill continuing the applicability of Public Law 85-307 to carriers operating within the "State of Hawaii."

There is now pending before the Board an application by Aloha Airline for guarantee of a loan of \$2,290,000 under the Loan Guarantee Act, and Hawaiian Airlines has filed with the Board economic data in connection with a forthcoming application for similar loan guarantee.

The duties and responsibilities of the Board in connection with the investigation of aircraft accidents would not be affected by the proposed legislation.

Mr. Chairman, this concludes my prepared statement. The Bureau of the Budget has advised that it has no objection to the submission of this testimony. If you have any questions I shall be glad to try to answer them.

Senator JACKSON. Mr. Stone, I want to commend you for having analyzed this matter very well. It would seem that the basic question here is whether or not we have by unilateral act declared international waters, or which would otherwise be international waters, as part of a State for purposes of statehood. Am I not correct in this analysis?

Mr. STONE. Yes, sir.

Senator JACKSON. If we have included the entire area that includes all of the islands, then there is a serious question whether the Board would continue to retain jurisdiction despite the all-inclusive provision of section 15?

Mr. STONE. Yes, sir; that is correct. We are not prepared to comment and are not planning to make any comment with respect to that particular problem because we feel that it might more properly be one for the State Department or Defense Department or the Interior Department.

Senator JACKSON. I realize that is true. But the point is that there is a need to clarify this question?

Mr. STONE. Most certainly so, sir.

Senator JACKSON. Lest we find ourselves in no man's land because you do have the unique situation in the case of Hawaii that the islands are separated by what has been at least considered heretofore as international waters beyond the 3-mile limit.

Do you agree, Mr. Stevens?

Mr. STEVENS. Yes, sir.

Senator JACKSON. The question in my mind is whether there is an ambiguity here which might lead some to conclude that we have for purposes of statehood included international waters as a part of a State. If this is true, then, of course, there is a serious question of CAB jurisdiction the court would be willing, and I am sure rather reluctant, to say that section 15 would cover it.

I don't know. I assume there have been no court decisions in connection with your retention of jurisdiction in Alaska.

Mr. STONE. I do not believe there have been. I might point out at this point, Mr. Chairman, that the situation is a bit different with respect to Hawaii than the situation in Alaska. While some flying might take place across waters I don't know that it involves the international boundary problem.

Mr. STEVENS. Senator, may I address myself to that question?

Senator JACKSON. For the record would you identify yourself?

Mr. STEVENS. I am Ted Stevens, Assistant to the Secretary of the Interior.

Senator, the assumption we have been operating under since 1953 has been that the position of the Defense Department and the State Department would be adopted. I would like to call your attention to a statement in appendix (a) of House Report No. 88 of the 84th Congress, first session, on page 64.

On that page there is set forth a description in metes and bounds of the boundaries of the State of Hawaii. Included in the description is a definition of Territorial waters which, if I may, I would like to read.

For the purpose of this provision, Territorial waters are defined as all island waters, all waters between the line of mean hightide and the line of ordinary low water and all waters seaward to a line 3 geographical miles distant from the coastline, said coastline being described as the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward line of island waters.

This language was drafted by the Department of the Interior after a conference with the Senate committee staff, the House committee staff, representatives of the Department of State, Navy, Justice, the Coast and Geodetic Survey, the Civil Aeronautics Board, the Maritime Administration, and other people involved.

Senator JACKSON. That was in connection with the tidelands bill, was it not?

Mr. STEVENS. That was at the time the tidelands bill was under discussion. You have settled that now by your reference to the Submerged Land Act. But in our opinion the definition of inland waters still remains the same. That is the reason we bring it up in 1954, both the State Department and the Defense Department wrote to this committee setting forth their reasons for this position. Those letters are found in Senate Report No. 886 of the 83d Congress, second session, on pages 36 and 37, and in the same report there are printed in appendix (g) a series of memoranda prepared by the Department of the Interior on all subjects of jurisdiction:

Surface jurisdiction, wire and communication jurisdiction, air transportation. There is also prepared a memorandum of the application of the commerce clause of the Federal Constitution to interisland transactions in Hawaii set forth the basis for our belief, that assuming that these waters are not included within the State the region of the CAB would remain the same.

The region, incidentally, of the Maritime Board would not include intransland carriers unless Congress saw fit to extend the jurisdiction of the Maritime Board over that type of commerce.

Senator JACKSON. I take it that the gist of your comment is that the reference to Territorial waters in section 2 of the bill would confine those waters as described in the statement that you read from.

Mr. STEVENS. Assuming there is a proper reference in your report to this agreement and this agreed-upon language, I think we are all operating on the same assumption. We agree entirely with Mr. Stone.

Senator JACKSON. We are in a situation here where we have for the first time a State wherein the Federal Government, if it sees fit, could occupy the field so to speak.

Mr. STEVENS. It is similar in the Catalina Island case?

Senator JACKSON. Yes; that is right, it is similar to the Catalina Island case in that isolated section. But here all of the air commerce as a practical matter would be in an area where the Federal Government could occupy the field without violating the provision of it being entirely within intrastate commerce.

Mr. STEVENS. If these waters are really truly international waters, Congress could at any time occupy any of the fields of commerce.

Senator JACKSON. This is right. I say assuming that perhaps we should define territorial waters in the committee report so that appropriate legislative history is made, or by statutory provision, that the island boundaries are confined to the traditional 3-mile limit as described in the reports that you referred to, then Congress could occupy the field within the State that is made up of the several islands?

Mr. STEVENS. Yes; I would say if you define it that way Congress has occupied the CAB field.

Senator JACKSON. That is right. We are merely extending the existing law or clarifying it to make sure that it did.

Mr. STEVENS. That is right.

Senator JACKSON. This is a technical problem that we can go into tomorrow morning if Mr. Stone and Mr. Stevens will be available in connection with the markup of the bill.

Mr. STEVENS. Yes, sir.

Senator JACKSON. I assume you gentlemen agree there is a need for clarification here because of the unique nature of this new State from a geographical point of view.

Mr. STONE. Most certainly.

Senator JACKSON. At least we can make your job a little easier in avoiding some unnecessary lawsuits in light of the information that has been brought out here.

Senator CHURCH. I would wonder whether it might be fruitful for these gentlemen to inquire between now and tomorrow morning as to whether there does not exist somewhere on the statute books an exact definition of the present boundaries of the Territory of Hawaii which would suffice to clear this question inasmuch as the bill in

section 2 says that the State of Hawaii shall consist of all the islands together with their appurtenant reefs and Territorial waters included in the Territory of Hawaii on the date of the enactment of this act.

Perhaps there is no such clear and concise definition of the present boundaries of the Territory. If not, I would like to know that. I make this suggestion inasmuch as it might prove one route of solution for us.

Mr. STEVENS. The definition of the islands or the understanding of the islands that are included in the Territory of Hawaii I think is agreed upon. Whether there exists any definition in terms of meets and boundaries or in terms of a geographical description by longitude and latitude on the statute books, I am not aware of it. We went into this problem at length right after I joined the Department of Interior in 1956, and we all fell back to the meets and boundaries description that was agreed upon in 1953.

So far as I know that is the only complete description.

Senator CHURCH. That is the best description of the actual boundaries of the Territory that we have.

Mr. STEVENS. That is my understanding; yes.

Senator JACKSON. Senator Church, we went into this at length in the 83d Congress, and we had a rather long and detailed description. The net result of it was that we decided that we should continue to refer to the previous statutory references and for the purpose of preserving whatever decisional laws that might be on the subject consistent with the descriptive language used in the past.

That is what has been done, excepting and excluding in this case, Palmyra, which is technically today a part of the city limits of the city of Honolulu. That we excluded in deference to my friend from California who felt that Los Angeles might be discriminated against. That would have been the longest city limits in the world of any incorporated city, extending 1,500 miles to Palmyra.

Mr. STEVENS. Both the House and the Senate have passed a Hawaii bill following this agreed upon description, and it is our opinion in the Department that this reference in your report would just refer us back to the same meets and bounds description, and I believe it would provide the determination of the extent of the Territorial waters for the CAB purposes.

Senator JACKSON. Would you check with the Defense and State Departments by tomorrow on this question of definitive language that we might want to use in order that we may clarify the jurisdictional problem, if any, of the Civil Aeronautics Board.

We have no problem as far as the Federal maritime agency is concerned because I think that is pretty well covered. There may be some international problems involved in this, and if you could check with them as to the type of language—statutory language or a statement in the report—that we should include in connection with the retention by the Board of jurisdiction until such time as the State has had an opportunity to act, I think the committee will have to decide as a policy matter whether the Board should continue jurisdiction after it becomes a State, that is, occupy the field either directly or indirectly by whatever language we may use, or whether the region

within the Territory or within the new State should be left to the State legislature.

Would the Board be in a position to comment by tomorrow whether they would want to retain jurisdiction or whether or not they would want to merely retain jurisdiction by clarification pending a decision by the new State to occupy the field.

In other words, to make it permissive. We could pass language here that would make it clear that the Federal Government continues to occupy the field subject to a decision by the State.

Mr. STONE. Mr. Chairman, we have in effect taken that position with respect to Alaska. I am certain that the Board will take the same position now, that it retain economic and regulatory jurisdiction until the legislature of the State of Hawaii acts in the field.

I think it is a practical, commonsense view because the situation would be rather chaotic there until the legislature acted unless we took that interpretation.

Senator JACKSON. For example, on guaranteed loans, if you make a guaranteed loan and if there is no regulation of any other carrier they could come in and compete with one that you guaranteed and you would not be able to control it at all.

Wouldn't that be right?

Mr. STONE. Not under our present interpretation.

Senator JACKSON. I say if you did not have control either by the Federal Government or by the State, what would there be to prevent someone from coming in and setting up a wildcat operation?

Mr. STONE. There would be nothing. Of course, that could be done at a later date in the event Hawaii became a State, in purely intrastate operations. Carriers could come in and be certificated by the State of Hawaii depending on the authority that might be set up by the Hawaii Legislature.

Senator JACKSON. But your guaranteed loan provisions, as a practical matter, apply to airlines that are engaged in interstate commerce so that you do have jurisdiction. Alaska and Hawaii are kind of exceptions to that as a practical matter, are they not?

Mr. STONE. Yes, sir.

Senator JACKSON. Feeder lines outside of Alaska and Hawaii operate in more than one State?

Mr. STONE. Yes, sir.

Senator JACKSON. So you do have a little different practical situation that could arise here. That is what I am getting. I mean a feeder line would not be operating between Hawaii and the mainland?

Mr. STONE. No. But you do have your air taxi operators within the same island in the Hawaiian Islands.

Senator JACKSON. Do you have jurisdiction over them now?

Mr. STONE. We have jurisdiction over them. We are operating under exemption authority of the Board at the present time.

Senator JACKSON. But will you continue to retain control?

Mr. STONE. Yes. We can do that until such time, under our interpretation consistent with the Alaska Statehood Act, can control and intend to control those operations. After Hawaii becomes a State under purely intrastate operations we would not have any control. That is, operation coming within the definition of intrastate operations.

Senator JACKSON. Will you refresh me on my constitutional law now. If we exempted Hawaii from CAB control but still treated the waters as international between the islands—the State could not pass any legislation?

Mr. STONE. That is correct, sir.

Senator JACKSON. That is my recollection. The State cannot attempt to regulate interstate commerce. They can within their own area handle such matters as the sale of liquor on vehicles moving, but they could not occupy the field completely; could they?

Mr. STONE. That is right.

Mr. STEVENS. I don't want to get into a debate over that, but I think that in the absence of conflicting legislation if the Federal Government declined to regulate as to strictly interisland commerce, commerce which was not going from one State to another but from one point in Hawaii to another point in Hawaii, Hawaii could regulate it.

Senator JACKSON. But what if it passed through international waters?

Mr. STEVENS. Even if it could pass through international waters.

Mr. STONE. I don't see how it could do that without amending the Federal Aviation Act.

Mr. STEVENS. This is not talking to his specific act. The Federal Aviation Act is not a condition but a theory.

Senator JACKSON. My hypothetical situation is—suppose that by amendment this bill took away the present authority of the CAB to regulate in Hawaii—they have that authority now—and section 15 did not apply, my point is that it would not be legally possible for the new State legislature to regulate air commerce between the islands where international airspace or international waters were involved; isn't that right?

Mr. STONE. That is correct. Under the definition of interstate air transportation under the Federal Aviation Act of 1958 we say—

Interstate transportation, air transportation is defined in relevant part and part (b) between places in the same State through the airspace over any place outside thereof or between places in the same territory of United States.

Senator JACKSON. In any event, we lawyers, I think, love to get into the legal gymnastics of these things and they can be rather interesting and intriguing because this is certainly a new adventure as far as applying Federal law to a State is concerned.

I would appreciate it very much if you could be available tomorrow at 10 o'clock and we will try to see if we can save the agencies some further legal headaches in the future by clarifying to the extent that it is possible to clarify what we have discussed here.

Are there any further questions? If not, Mr. Stone, we appreciate very much your statement.

Mr. STONE. Thank you, sir.

Senator JACKSON. If it is agreeable I would like to hear from Senator Heen now and then recess.

We are very pleased to have as our next witness Senator William Heen, who has served in the Hawaiian house and the senate, mostly in the senate, for 32 years. He declined to run this last time. He is here representing the Hawaiian Statehood Commission as the vice-chairman of that body.

You may be seated.

**STATEMENT OF HON. WILLIAM H. HEEN, TERRITORIAL SENATOR
AND VICE CHAIRMAN OF THE HAWAIIAN STATEHOOD COMMISSION**

Mr. HEEN. Mr. Chairman and members of the committee, my name is William H. Heen. I am the vice chairman of the Hawaiian Statehood Commission. I appreciate very much the courtesy and the recognition which you, Mr. Chairman, have just accorded me. The members of the Hawaiian Statehood Commission, feeling that someone on its behalf should be here to observe what is going on in connection with the Senate's statehood measure, delegated me to come here for that purpose.

They felt that failure to do so might be regarded as lack of further interest on their part. On the contrary they and the people of Hawaii are deeply and intensely interested in the proceedings which are taking place during what appears to be the final stages of the campaign for statehood.

These are stirring and exciting times for all of us. As the granting of statehood seems to be so imminent. For this we are deeply grateful to all of those who have been responsible for the rapid progress which has been and is now being made toward granting statehood to Hawaii during the present session of the Congress. To them on behalf of my people I wish to pay tribute.

At last our quest for statehood appears to be approaching a happy and dramatic ending. As our 50th star stands poised and ready to burst out brilliantly over the horizon and into orbit in outer space, to cast its rays of freedom and democracy over the entire world.

Mr. Chairman, I have nothing new to present to this committee. Our qualification is to enjoy the privileges of full-fledged American citizenship and to assume and discharge the responsibilities of statehood have been conclusively established by the evidence which appears in the voluminous records before you.

I love my native land of Hawaii. I want to see it become a sovereign State, to be placed on an equal footing with all the other sovereign States of the Nation. Nothing more and nothing less. We have been a subservient segment of this Nation, long enough, much too long, and we don't want to remain that way indefinitely.

So I say to you, Mr. Chairman and members of the committee, give us statehood now so that we, with all due reverence and with a heart full of love and deep understanding toward all, may join with the American citizens of all the other 49 States of the Union in singing for all the peoples of the world, particularly those of the Far East to hear, God Bless America.

Senator JACKSON. Thank you, Senator Heen, for that very fine statement.

Delegate Burns, do you have any questions?

Mr. BURNS. No, sir; I have no questions.

Senator JACKSON. Thank you, Senator.

We have two remaining witnesses and in view of the fact that the Chair announced that we would convene at 2 I feel we should recess at this time.

Mrs. Worrell, you will be the first witness at 2 o'clock this afternoon, to be followed by Mr. Masaoka, representative of the Japanese American Citizens League.

We will stand in recess until 2.

(Whereupon, at 12:15 p.m., Wednesday, February 25, 1958, the subcommittee recessed to reconvene at 2 p.m., the same day.)

AFTERNOON SESSION

Senator JACKSON. The committee will come to order.

The next witness is Mrs. Margaret Hopkins Worrell, past president of the Ladies of the Grand Army of the Republic.

Mrs. Worrell, you may be seated.

Do you have a prepared statement?

STATEMENT OF MRS. MARGARET HOPKINS WORRELL, PRESIDENT-GENERAL OF THE WHEEL OF PROGRESS

Mrs. WORRELL. Yes, I have a short prepared statement.

Senator JACKSON. You may proceed.

Mrs. WORRELL. Mr. President, I will stand, if you do not mind my standing.

Senator JACKSON. It is not necessary for you to stand, but you may proceed in your own way.

Mrs. WORRELL. My name is Mrs. Margaret Hopkins Worrell, and my residence, apartment 515, East Clifton Terrace, Washington, D.C. I am president-general of the Wheel of Progress, which I am representing. I am also past national president of the Ladies of the Grand Army of the Republic, 1950, and past vice president of the Women's Patriotic Conference on National Defense.

Mr. Chairman and members of this committee, I am pleased to appear as an opponent of statehood for Hawaii.

After the queen was deposed in 1893, and Mr. Sanford Dole became ruler, a provisional government was formed which resolved itself into a Republic; and on July 7, 1898, Congress passed a resolution annexing Hawaii to the United States. On August 12, 1898, Hawaii was formally annexed to the United States as a Territory. All whites, natives of Hawaii, and persons of African descent, who were citizens of Hawaii before the annexation, are citizens of the United States. That such distinction was made, the question arises in my mind—are all citizens of Hawaii citizens of the United States? Or is there some security on immigration?

I think I can safely say that the majority of our people do not know that the population—Polynesian, largely Japanese, Chinese, Asiatics, mixed bloods, miscellaneous nonwhites (Negro, Puerto Rican), about 75 percent unassimilable in our country, with 25 percent Caucasian, which may include our military, their families and U.S. Government employees. It is a well known fact that there are a large number of Communists in Hawaii. On May 10, 1955, Hon. John R. Pillion, of New York, in an address stated:

There have been startling disclosures of communistic controls in Hawaii since the statehood bill was last considered. Although the Communists began their activities in 1937, the full force of their power did not become apparent until recent events. In Hawaii, considerable power is centered in, and its influence emanates from two unions, the International Longshoremen's (ILWU), Warehousemen's, and the United Public Workers Union (UPW).

Again on May 5, 1958, Congressman Pillion stated:

(Congressional Record) The extensive communistic influence in Hawaii continues to present an alarming condition for both Hawaii and the United States. A careful study of this does not give you hope that Communist power is on the wane. Communism remains a potent force permeating the economic, political, and social structures of the Territory. The unions in Hawaii are controlled or infiltrated by Communists and have a membership of more than 30,000. The names of Communists and persons closely associated with the party, who occupy positions of power in the unions, local unions, and top organizations (ILWU) are contained in the hearings of the Un-American Activities Committee.

The three volumes contain a startling revelation of the infiltration of communism in the rank of unionized labor and in the political parties. These volumes are proof that the Communist Party controls ILWU lock, stock, and barrel, definitely against the United States and could easily result in a tie-up by Harry Bridges' ILWU Longshoremen that would be disastrous to our country.

I take issue with the statement of some proponents that there is no danger of communism in Hawaii.

No argument was raised against statehood for Alaska. She was on our own soil, only 37 miles across Bering Strait from Siberia, but one of the outstanding arguments against statehood for Hawaii is that she is 3,000 miles across the Pacific from our 49 States. Let us offer her independence, or better still give her a commonwealth government. We have two precedents for that, the Philippines and Puerto Rico. The same which we have offered to the Philippines and Puerto Rico, maybe she will accept. We are absolutely opposed to statehood for Hawaii and urge our representatives to deny statehood to Hawaii, an island in the Pacific thousands of miles from the United States.

Thank you.

Senator JACKSON. Thank you, Mrs. Worrell.

Maybe you would like to be seated.

Mrs. WORRELL. I will leave this little cartoon with you.

Senator JACKSON. We cannot put it in the record, because we do not put pictures in the record, but if you have any statement that you wish to put in the record, you may do that.

Mrs. WORRELL. I am hard of hearing and do not hear what you are saying, but I hope it is complimentary.

Senator JACKSON. Thank you very much for your statement. If you have any additional information that you wish to place in the record, you may do so.

Mrs. WORRELL. Thank you. I was hoping that I would have a chance to speak over in the House tomorrow. But I understand that no persons except Senators are permitted to speak tomorrow.

Senator JACKSON. No, I think what you have in mind is that the hearings have been held by the House Committee on Interior and Insular Affairs. The hearing tomorrow is a procedural one before the Rules Committee of the House of Representatives, and it is customary that that type of hearing be confined to Members of the House. I assume they do allow Senators in on occasion.

Mrs. WORRELL. Well, Mr. Chairman, at the time that they had the hearing in the House, we were very busy with two different conventions here in Washington. There was a Women's Patriotic Conference on National Defense, and the Department of the Potomac Ladies

of the Grand Army convention. And nobody knew anything about that hearing. It was in the papers, but we did not read the papers. We were too busy.

Senator JACKSON. I want you to understand that you are to be given every right to be heard, and if you have any additional information you wish to submit, you may do so by having it placed in the hands of the committee by tomorrow, because we are going into executive session tomorrow.

Is that satisfactory?

Mrs. WORRELL. Yes, I think I caught that. I am to put it in tomorrow.

Senator JACKSON. Now, one question. Can you explain to me what is the nature of the organization called "Wheel of Progress"?

Mrs. WORRELL. The Wheel of Progress?

Senator JACKSON. The Wheel of Progress.

Mrs. WORRELL. It was organized in 1924.

Senator JACKSON. Whom do you represent?

Mrs. WORRELL. I am the president-general.

Senator JACKSON. Who belongs to the Wheel of Progress, and what are its objectives?

Mr. WORRELL. I am also the past national president of the Ladies Grand Army of the Republic, 1950.

Senator JACKSON. Yes; but could you just explain the purpose of the Wheel of Progress?

Mrs. WORRELL. No, but I will.

Senator JACKSON. Very briefly.

Mrs. WORRELL. I will tell you that the Wheel of Progress is to defend the Constitution and get the people out to use their franchise.

Senator JACKSON. And how many members do you have?

Mrs. WORRELL. I do not have the number of members, but we have small locals throughout the United States, just small locals all around. I do not know the exact membership. I do not keep it at all. I leave that to the secretary.

Senator JACKSON. Are you here representing the Ladies of the Grand Army of the Republic?

Mrs. WORRELL. Well, I am representing them so far as I am the past president. But we will not have another convention until next August in California. We will have our convention in California next year.

Senator JACKSON. Have they taken a stand against statehood for Hawaii?

Mrs. WORRELL. I think that they will all be——

Senator JACKSON. No, no. That is not the question. Have they in the past, up to now, taken a stand against statehood for Hawaii?

Mrs. WORRELL. Our department has taken that stand, yes.

Senator JACKSON. And when was that taken?

Mrs. WORRELL. That was taken I guess the 7th or 6th of February. We had a convention here, you know.

Senator JACKSON. Yes. This year?

Mrs. WORRELL. And we took that stand. I am sure they would have all taken it if they would have had a convention.

Senator JACKSON. Thank you very much. That is all.

Senator JACKSON. The next witness is Mr. Mike M. Masaoka, the Washington representative of the Japanese-American Citizens' League.

STATEMENT OF MIKE M. MASAOKA, WASHINGTON REPRESENTATIVE, JAPANESE-AMERICAN CITIZENS LEAGUE

Mr. MASAOKA. Mr. Chairman and members of the committee, there is not much we can say at this time in the way of new material, but I do think as a person of Japanese ancestry it was most impressive to me this morning to hear you, the chairman, and the members of your subcommittee, speak of the great international implications of statehood for Hawaii, because it seems that you agree with us that the cosmopolitan population of Hawaii is an argument for and not against statehood. I shall, of course, develop this point a little bit more.

But in reference to the statements of the last witness, I would simply like, since it follows pretty much my own statement, to have my statement incorporated into the record and be permitted to summarize it in terms of the last witness' statement.

Senator JACKSON. You may do so.

(The statement of Mike M. Masaoka is as follows:)

STATEMENT OF MIKE M. MASAOKA, WASHINGTON REPRESENTATIVE, JAPANESE-AMERICAN CITIZENS LEAGUE

Mr. Chairman, my name is Mike M. Masaoka, Washington representative of the Japanese-American Citizens League, the only national organization of Americans of Japanese ancestry in this country.

On behalf of our 85 chapters and more than 18,000 American citizen members in 30 States and the District of Columbia, I am authorized and directed to urge immediate statehood for the long deserving Territory of Hawaii.

Ever since the end of World War II, every biennial National JACL Convention unanimously has resolved to urge statehood for Hawaii as being in the national and international interest of our Nation, as well as a measure of justice to the residents of this Pacific Territory. In our opinion, every passing biennium has increased the urgency of statehood. And, since Alaska was admitted into the Federal Union as a State in the last session of Congress, in the words of the President, any further delay would be "unconscionable".

It is significant that a month ago the House Interior and Insular Affairs Committee began its hearings on this legislation and that it has already reported favorably the bill which is currently before the Rules Committee for clearance. With this subcommittee beginning its hearings this early in the session, we are hopeful that in the immediate future Congress will extend to Hawaii, too, that equal status which will enable it to be the 50th star in our Federal Constellation this Fourth of July.

We are aware that to most members of this committee and the Congress the background facts and the arguments both for and against statehood for Hawaii are an old and oft-repeated story, since the House and Senate Committees on Interior and Insular Affairs have held 22 hearings on this subject since 1935, hearing more than 850 witnesses both in Washington and in the Territory who have filled more than 6,600 pages of printed testimony. None of the 49 States have been subjected to such intensive investigation and study as has been Hawaii.

Alaska, with its scattered, scant population, with its vast landmass, its undeveloped economy, its proximity to a potential enemy, its distance over foreign land from the Nation's Capital, was admitted—and rightfully so—as our 49th State last year.

In that historic action, the Congress answered all the legitimate questions regarding Hawaii's qualifications in the affirmative, for these Pacific Islands by every standard previously used are as qualified—if not more so—than was our northern Territory last session.

But, there are two major charges advanced—often surreptitiously at least as to one—which supposedly disqualify Hawaii for statehood: her cosmopolitan population and her alleged Communist problem.

That such prejudicial appeals as these are used are indicative to us, of the complete lack of any real grounds for denying any longer statehood to Hawaii.

Because of our membership and our long experience with race discrimination

against Oriental-Americans, we believe that we owe a duty to the Congress to evaluate, frankly, honestly, and openly, both of these arguments in the light of what we consider to be the facts of the situation.

First, as to Hawaii's preponderantly non-European population, we submit that this is one of the most potent arguments for—and contrary to those who insinuate otherwise, not against—statehood.

The harsh realities of this troubled, tension-filled world are such that the destiny of free men and of free nations, including our own, may well be determined by the two-thirds of the world's population that inhabit the so-called Pacific Basin.

Both the Soviet Union and Red China are cognizant that the balance of power lies in this vast area, and they are systematically attempting to win the minds and the hearts of men with their economic, military, and psychological weapons.

In the Orient there is a saying that "One picture is worth a thousand words".

The Communists have much to say, and more to promise, to the restless peoples of the Far East who, stirred by the spirit of nationalism, are yearning to break the bonds of colonialism and to gain acceptance and dignity among the nations of the earth.

Thus far, we have demonstrated our good faith and our belief in the self-determination of peoples. We granted independence to the Philippines as we promised. We helped reconstruct and rehabilitate defeated Japan along democratic principles and then restored her sovereignty. We made the major contribution to the defense and the existence of Free Korea. We are responsible that a Free China continues to survive. We have bolstered the fighting forces and the economies of Southeast Asia with our foreign aid.

While on one hand we have demonstrated our good will toward those of Asian ancestry, on the other we have continued to deny equality of status and have discriminated against an integral part of our Nation, an incorporated Territory for more than 60 years, whose voters overwhelmingly time and time again expressed their determination to be full-fledged, participating citizens of the United States.

To the millions of dark-skinned people who predominate on earth, regardless of our explanations, the only reason they understand to deny statehood to Hawaii is because there are so many persons of Asian and Polynesian ancestry resident there. This apparent discrimination is emphasized by Alaska's admittance last year into the sisterhood of States, leaving Hawaii as the only remaining incorporated Territory in our country.

The grant of statehood to Hawaii, with its many persons of Japanese, Polynesian, Chinese, Korean, Filipino, and other ancestries at this time would, in our opinion, be a positive, constructive step in our efforts to prove that our practices live up to our professions.

To our mind, more than any other single act that might be undertaken by this Congress and Government, statehood for Hawaii would be the picture of democracy in action that will offset the thousands of words poured out by the Communist hatemongers against us.

Hawaii, already a meeting place for the East and the West, by its very location as the crossroads of the Pacific, could, and should, be our living showcase of democracy.

Indeed, at the present time, thousands of students annually from all of Free Asia are invited by our Government to come to Hawaii to study not only our way of life but also our methods of production.

One can easily imagine what some of these students must think when they learn that, though Hawaiians pay taxes and fulfill all other obligations of citizenship, they, like so many of their revolutionary fathers on the mainland more than 183 years ago, cannot vote for their own representatives, or executives, or judges. Once Hawaii becomes a State, however, these students would better appreciate the meaning of democracy and would be better able to witness it in action. Then, on their return to their respective homelands, they could better preach the gospel of freedom and equality.

If Hawaii is admitted to statehood, the peoples of Asia particularly would know that persons of their own ancestry are able to participate fully and successfully in the democratic system. Such visible knowledge would give them assurance that this way of life is practical and appropriate for them too.

Moreover, it will give to the United States and to the free world a new citizenry which, by its very background, culture, and feeling, is best qualified to explain our ideals and our objectives to the peoples of Asia and to interpret

for us the hopes and aspirations of most of the world's population. Indeed, considering that we are least informed about these peoples, Hawaiian-Americans who trace their ancestries to the new nations of Asia could render our country an invaluable service in establishing mutual understanding and comity.

The strategic importance of Hawaii to our national security cannot be overestimated.

In World War II, it was the first American territory to be attacked. And, from this great staging area, we moved on to the ultimate victory that was ours. Today, Soviet and Red Chinese propagandists point to the racist arguments used against statehood as living proof of American attitudes toward those of Asian ancestry. Statehood would make Hawaii the great staging area for the grand offensive that may put the lie to Communist propaganda in the Far East.

Perhaps it is not enough to stress that Hawaii's mixed population is a primary reason for, not against, statehood.

Perhaps the record needs testimony against the old slanders that have been resurrected against those of Asian ancestry, particularly Japanese Americans, impugning their loyalty and questioning their assimilability into the democratic social order in spite of the clear and eloquent record.

Though the dramatic story of the loyalty of persons of Japanese ancestry in Hawaii during and after World War II is comparatively well known to most interested Americans, their earlier contributions are no less important and significant.

The early Japanese immigrants worked on the plantations and helped develop the economy of the Territory. They fished off the shores and pioneered in the presently lucrative commercial fishing of that area. They helped develop trade with the Orient, and Hawaii became known as the gateway to the Far East.

In agriculture, in commerce and trade, in fishing, in horticulture, and in every aspect of human endeavor in Hawaii, they left their mark as enterprising, thrifty people whose first great love was the islands to which they had migrated in search of opportunities and liberties they could not find in their homeland of Japan.

They early began to participate in community activities and learned to appreciate the democratic way of life. They sent their children to the public schools, and they demonstrated their real Americanism in the loyalty and allegiance they inculcated in their children, a loyalty and allegiance which proved itself in World War II.

In World War II, American citizens of Japanese ancestry—Nisei—in Hawaii, formed the all-Nisei 100th Infantry Battalion.

Later, the 100th was integrated into the 442d Regimental Combat Team, an all-Nisei outfit composed of volunteers from Hawaii and the mainland of the United States.

In connection with this volunteer combat team, the Army called for only 1,500 volunteers from Hawaii. In less than 3 days, more than 10,000 responded; in a week, more than 15,000 had volunteered. The Army decided to accept 2,500.

Between them the 442d and the 100th made history without parallel in American military annals. According to the record, they were awarded more medals and combat decorations for their size and length of service in the line than any other U.S. infantry unit in the last or any previous war.

Fighting in Italy and France, the 100th and 442d became famed as the "Purple Heart Regiment." They were in 7 major campaigns, suffering 9,486 casualties, or 314 percent of their original strength.

The unit received 18,143 individual decorations and medals and 7 Presidential distinguished unit citations.

In the Pacific, in the war against the land of their ancestry, thousands of Nisei-Americans served with equal distinction. For security reasons, little publicity has been given to the activities of these Japanese-Americans against the Japanese enemy.

Today, however, it is known that Gen. Charles A. Willoughby, chief of staff for intelligence under Gen. Douglas MacArthur, credited the Nisei in the Pacific, who served mainly as combat intelligence troops, with shortening by many months the war against Japan. To them, General Willoughby attributed the savings of untold thousands of casualties and billions of dollars.

In the occupation of Japan, additional thousands of Nisei were called upon to serve as the eyes and ears of the occupation in the role of interpreters and translators and administrators.

While this occupation duty did not have the color or the drama of active combat service, the work of the Japanese-Americans contributed in great measure to the unprecedented success of the American occupation in Japan and to the promotion of democratic principles and general good will toward the United States.

On the homefront, resident alien Japanese—Issei—although technically enemy aliens during World War II, helped to build airfields and other military installations, much of it voluntarily and without pay.

These alien Japanese in Hawaii contributed generously to the blood banks, and actively participated and supported the USO program. Per capita, it has been said that these resident alien Japanese purchased more war bonds than any other comparable group in the United States.

In addition, many alien Japanese who were young enough to qualify volunteered for service in the United States Army. At the time these men volunteered, under the old Nationality Act of 1940 and previous statutes, they were ineligible for naturalization.

The Congress amended the naturalization privileges extended to most other aliens who served in our Armed Forces to include alien Japanese, and many became citizens under this special legislation.

Other alien Japanese who were bilingual were used in the Army and Navy language schools to teach soldiers, sailors, marines, and airmen the Japanese language. Still others served with the Office of Strategic Services in enemy intelligence, counterespionage, drawing maps by which Japan was bombed, and in translating and interpreting captured enemy documents.

It should be remembered that in connection with these contributions to the military victory that these alien Japanese were, because they were barred by our naturalization laws from acquiring citizenship, actually traitors to the country of their own nationality.

Had Japan won the war, it is not difficult to imagine what their lot would have been.

In any assessment of their allegiance, this fact should be kept in mind: The alien Japanese demonstrated their greater love for their adopted land as against the land of their nativity and nationality.

Prior to World War II, racist myths were current, ascribing to all persons of Japanese ancestry, citizens and aliens alike, an unswerving loyalty to the Emperor of Japan. Immediately after the Japanese attack on Pearl Harbor, wild and distorted rumors asserting that the Japanese in Hawaii engaged in sabotage and espionage were circulated.

The fact of the matter is that according to the Federal Bureau of Investigation and the Army and Navy Intelligence not a single case of espionage and sabotage was committed by a resident alien or citizen of Japanese origin before, during, and after the attack on Pearl Harbor. Indeed, the first Japanese enemy captured was by a Japanese-American.

Although purchased at a high cost in lives and personal resources, the magnificent wartime record of the Nisei and Issei in Hawaii and the United States conclusively demonstrated that—

Americanism is a matter of the mind and the heart;

Americanism is not, and never was, a matter of race or ancestry.

More recently, on the battlefields of Korea, the men of Hawaii were again fighting and dying with their fellow Americans from the continental United States. As in World War II, Americans of Japanese ancestry carried their share of the load, for the records reveal that based upon population more than three times as many Japanese-Americans were wounded and killed in Korea than the national average.

In this record of devotion and sacrifice lies the answer to those who question the loyalty of the so-called Japanese population in Hawaii. They have purchased with their blood the right to be accepted as Americans individually and to have statehood extended to the Territory that gave them birth and imbued in them that spirit of liberty and freedom that inspired their wartime gallantry.

If to assimilate American ideals and traditions is to understand the meaning of democracy and to have such faith as to be willing to go out and die for our country in spite of prejudice, discrimination, mistreatment, and persecution such as Japanese-Americans were subject to after the attack on Pearl Harbor, then Americans of Japanese ancestry in Hawaii have been completely assimilated into our way of life.

If assimilation means obedience to law, education in American schools and institutions, contributions to civic drives, participation in local and community activities, enjoying sports, etc., then too Hawaiian Americans of Asian ancestry are assimilated.

Because the Japanese comprise a third of the population in Hawaii, some fears have been expressed that Japanese-Americans will vote as a bloc, once Hawaii becomes a State, and thus control the political destiny of the islands.

A quick look at nisei participation in Hawaiian politics will dispel this fear and myth of bloc voting.

In Hawaii, as on the mainland, Japanese Americans are active in both political parties. In Hawaii they enjoy positions of influence in both parties; they have been elected and appointed to local and Territorial offices.

In the last election, and prior thereto, it was not uncommon to find Japanese-Americans vying with each other as representatives of the Republican and Democratic Parties for the same post, or to find a Japanese-American representing a predominantly non-Japanese district, or to find a non-Japanese representing an overwhelmingly Japanese area.

Among the Hawaiian Japanese-Americans, as with any other group in the United States, party politics and voting are based upon the same factors of daily living and economic interests which motivate any other people to vote for the candidates of one party in preference to another.

Another expressed fear is Hawaii's alien population, most of whom until recently were Japanese.

Until the enactment of the Immigration and Nationality Act in 1952, Asian aliens with the exception of Chinese, 1943, Filipinos and East Indians, 1946, were ineligible by Federal law to become naturalized citizens of the United States.

This accounts for the fact that until December 24, 1952—the effective date of the Immigration and Nationality Act—there were so many aliens of Asian extraction in the Territory, for they represented the immigrant, pioneer group from the Far East.

Since enactment of the Immigration and Nationality Act, Japanese aliens, along with other Asian nationals, swamped the Immigration and Naturalization Service and district court facilities in such numbers as to establish a precedent for the naturalization of any racial group in such a record time.

An estimated more than 10,000 alien Japanese in Hawaii have become naturalized citizens since this privilege was extended to them just 7 years ago.

At this rate of naturalization, and since the average age of the alien Japanese is now close to 70, within another 5 years there will remain few, if any, aliens of Japanese nationality.

These new citizens have not voted as a bloc, for even as aliens they expressed their preference for either of the major political parties on other than racial grounds to guide their citizen children.

Furthermore, because they were so long denied the franchise even in Territorial elections, they are probably more aware of the issues and the candidates than those who have been able to vote automatically by the accident of birth in Hawaii or in the United States proper.

Speaking of politics, it should be noted that perhaps more than in any other section of our Nation many young veterans of World War II and Korea are taking an active interest in politics. Both the Republicans and Democrats are benefiting from this new blood, the Democrats probably more than the GOP if the more recent Territorial legislature and delegate elections are taken into account.

In 1956, Japanese-American delegates attended both the Democratic and Republican National Nominating Conventions in Chicago and San Francisco, respectively. Both party platform committees had Japanese-Americans from Hawaii serving to help write party policies and principles.

The present Democratic national committeeman from Hawaii is a Japanese-American dentist.

While statehood is not, and should not be, a partisan issue in the Territory, there is no doubt that the actions of their party representatives here in the National Congress may well determine the future of both the Democratic and Republican Parties in Hawaii for many years to come.

Accordingly, the words and, what is more, the actions of every Democrat and Republican in both the Senate and the House will be carefully examined in the light of the parliamentary maneuvers and the vote on the most important of all issues to the electorate of the present Pacific Territory.

The overwhelming sentiment among Japanese-Americans, as among the entire population, is for statehood. Before the war, the margin of Hawaiians favoring statehood was more than 3 to 1. Among the nisei, the proportions were even more lopsided. And it is greater today.

The desire for equal status is the understandable spirit which motivates those who urge statehood.

When the Congress enacted the Immigration and Nationality Act of 1952, in effect it lifted the legislative mark of inferiority from the Japanese people by admitting them to citizenship through naturalization, and extending to Japan, their ancestral homeland, immigration quotas.

That act was hailed in Hawaii as an indication of the acceptance of the Japanese as individuals by their own Government.

In the last 4 years two Japanese-American attorneys were nominated and confirmed for the Federal judiciary: Ben Tashiro as judge of a district court, and Masaji Marumoto as an associate justice of the Territorial supreme court.

This means that in the judgment of the Executive who nominated them, and of the Judiciary Committee and the Senate that confirmed their appointments, Japanese-Americans are qualified as individuals for even the most important responsibilities of citizenship in a growing democracy.

Statehood is the remaining step in that progress for equality of status. Statehood will mean, not only for those of Japanese origin, but also for every American in Hawaii, acceptance as equal partners in the United States to which they have contributed so much and asked so little.

In 1950 the citizens of Hawaii held a constitutional convention and drafted a State constitution that could well serve as a model document for many States and governments. This action on their part shows their clear willingness to assume the responsibilities of being an active and integral part of the Union.

At the moment, they feel like the stepchild who is almost a member of the family. Their citizens feel their second-class status keenly, for they appreciate the fact that though their taxation without representation may not be tyranny, in the revolutionary sense of 1776, it does represent, nevertheless, a lack of appreciation for their capabilities and desires on the part of their Government which at times seems far more removed than by distance alone and which sometimes seems to be more solicitous and responsive to the requests of foreign nations.

Aside from the charges that the population of Hawaii is too predominantly Asian in ancestry, and not European, the second major appeal against statehood is the alleged Communist menace.

In addition to the reports of the Federal Bureau of Investigation, the Armed Forces security agencies, and the House Un-American Activities Committee as to the extent and the influence of Communists and fellow travelers, there is the most impressive record of the Territorial legislature and the people to refute any claims of Communist domination.

If the Communists and their henchmen were so powerful, how does one account for section 3, article XIV, of the Constitution which was promulgated for the 50th State 9 years ago (1950) which specifically relates to this subject in these words: "No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment"? To the best of our knowledge and information, there is no constitution of any State in the Union which provides automatic disqualification for public office and employment of Communists and fellow travelers such as that written into the constitution of the new State of Hawaii.

Implicit in the insinuations regarding communism is that members of the International Longshoremen's and Warehousemen's Union, which is supposedly controlled by Communists and fellow travelers, are under Communist domination. Since many Japanese-Americans and other Americans of Asian ancestry are also members of this union, there is the presumption that those of Oriental background have an affinity for communism.

The Korean war offers irrefutable and dramatic proof to the contrary.

Senate Report No. 1164, of the 1st session of the 85th Congress, ordered to be printed August 20, 1957, "Providing for the admission of the State of Hawaii into the Union," summarizes this record in the following sentences:

"Not one case of cowardice by a Hawaii soldier in the face of the Communist enemy was recorded in Korea.

"Not one case of successful Red 'brainwashing' of any Hawaii soldier was recorded.

"Not one case of a Hawaii soldier's desertion to the enemy was recorded.

"Of the 22 American servicemen who refused repatriation after the Korean war in favor of remaining with the Communists * * * there was not 1 from Hawaii.

"There were 426 Hawaii boys killed in Korea action, a death toll $4\frac{1}{2}$ times the killed-in-action average for the rest of the United States. There were 1,352 total battle casualties from Hawaii, a rate of 3 times as great as the casualty rate per capita for the rest of the Nation."

There is evidence that among these Korean war troops were many American soldiers of Asian, including Japanese, ancestry who were also members of the ILWU. That none defected to the enemy under the difficult circumstances of that conflict is proof enough that Hawaiian-Americans, regardless of their ancestry, were at least as loyal as any other American from any of the States on the mainland.

Finally, again quoting from the Senate Report of the preceding Congress on this subject: "The (Interior and Insular Affairs) committee is convinced, and there is no evidence to the contrary, that a grant of statehood will not in any way decrease the ability of the Nation or the people of Hawaii to combat the malignancy of communism. On the contrary, the people of Hawaii have taken unprecedented steps to protect themselves and have shown superior recognition of the menace. Therefore, the committee believes that statehood will provide a suitable and effective political structure through which the people of Hawaii can and will hasten the destruction of the last vestiges of Communist influence."

It is our considered judgment—regardless of what the official Communist line may be—that the Communists do not want statehood for Hawaii, for such equality of status would deprive international communism of one of its most effective and dramatic illustrations of alleged western disregard for persons of Asian ancestry.

Statehood—now—would be a potent weapon against communism, for communism feeds on discontent, humiliation, indignity, and a persecution complex. We do not imply that Hawaiian-Americans fit this description, but the Communists paint their inability to achieve equality with their mainland citizens in these terms because those they seek to indoctrinate, relate these conditions with those they know in their respective countries.

Statehood for Hawaii is more than a political issue of the moment; it is an international token of our real intentions in dealing with the problems of this difficult world in the nuclear, space age. Only illogically and self-defeatingly can we preach democracy to others while denying proper and long-overdue recognition to a deserving territory in our own front yard because of its cosmopolitan population.

The admission of Hawaii as a State would deprive the Communists of one of their most effective weapons in the cold war, while immeasurably contributing to our international relations.

And, the Nation would reap great and material benefits from statehood.

The substantial contributions of Hawaii's population would be even greater under the dignity and equality of statehood.

But, even more, Hawaii's significant location—as the hub of a huge wheel around which revolves the vast reaches of the mighty Pacific Ocean, touching upon more nations and peoples than the rest of the world combined—cannot be minimized, and the increased transpacific trade of this country should not be overlooked.

There are many of us—mostly from the Pacific coast—who feel that the westward march of progress assures that the next great era of civilization will be around the Pacific Basin, where most of the world's population resides, where the markets for our goods are to be developed, where the natural resources we need to satisfy our ever-growing economy are stored, and where trade and commerce yet undreamed of waits to be exploited.

Hawaii is the logical center for all of these activities. And, under statehood—as has been demonstrated when every Territory attained the status of a State—tremendous economic growth will result, with special benefits for our own West coast.

In spite of this testimony, we Americans of Japanese ancestry contend that, as a matter of conscience and principle, the racial composition of the population of Hawaii should be of no consequence in this matter; the fact that certain people of Asian ancestry constitutes the bulk of the population should be neither an argument for—or against—statehood. The fundamental question involves

not the races of people in Hawaii, but the kind of thinking and living in which they indulge as citizens of that Territory.

By this yardstick, there can be no doubt that Hawaii's mixed population qualifies as American, as U.S. minded, as an integral part and parcel of our Nation and our Government.

Though Hawaii may not be contiguous geographically speaking to the continental United States, ideologically and sentimentally they are as contiguous as Virginia and West Virginia, New York and New Jersey, Illinois and Indiana, California and Oregon, or any other two contiguous States in the United States. And in this age of jet and space transportation, distances such as those involved here are meaningless.

The only reason that JACL felt compelled to comment on the so-called Japanese of Hawaii was to demonstrate the innate Americanism of this significant group and to illustrate that they, as well as every other nationality group in Hawaii, are ready and eager for statehood.

Statehood would be in the national and international interests of our Nation. But it would also be fitting recognition for the loyalty and allegiance of Hawaii to the United States for more than half a century; a compensation to her people for the taxes they have paid into the National Treasury, the land they have built, and the lives they have given to our common destinies.

Too long by delay have we denied justice and equality to the people of Hawaii.

May this be the long-awaited-for year when Hawaii will be welcomed into the partnership of the United States on the full and equal basis which she deserves.

Mr. MASAOKA. Some question was raised of the original laws under which Hawaii became an incorporated Territory, particularly in regard to the immigration laws and their application to Hawaii. I think that throughout history it will be shown that whenever the immigration laws of our country were modified or changed, Hawaii was considered as a part and parcel of the United States. The three great immigration acts of our history were the acts of 1917, the acts of 1924, and the so-called Walter-McCarran Act of 1952. And in each of these three precedentmaking statutes relating to immigration and naturalization, Hawaii was considered on a par with every other part of the United States.

I may say, however, that in 1924 that particular immigration act created what is called the exclusion areas of the Pacific, and Japanese, Chinese, and others from that area were denied admission into the United States.

In 1952, however, the Immigration and Nationality Act of that year eliminated all racial discrimination against all Asiatic peoples and gave to the peoples of Hawaii, California, Washington, every State, in fact, represented by members of this subcommittee—gave aliens of Asiatic ancestry the right to become naturalized citizens.

In that connection, it might be pointed out that in the early hearings on statehood questions were brought out about the large alien population of Hawaii. The answer to that is simply that prior to 1952, under the naturalization laws of our country, Asiatics could not become naturalized citizens of the United States. Since the effective date of that act, December 24, 1952, more than 10,000 alien Japanese alone, in the Territory of Hawaii, had become naturalized citizens, which is the most remarkable record of naturalization by any people in the history of the United States.

The chairman and the Senators from both Idaho and Utah are well aware of what the Naturalization Act has meant in terms of alien Japanese in their respective States. But I do want to emphasize that as far as the immigration laws are concerned, ever since our country

was founded, and particularly since Hawaii became an incorporated Territory, the laws of the United States relating to immigration and naturalization have always considered and treated the Territory of Hawaii as an integral part of these United States.

Senator JACKSON. I would just say right at that point that I do not think there is any question. Just from memory, I think that the 14th amendment provides that all people born in the United States or subject to the jurisdiction thereof are citizens of the United States and the State wherein they reside.

Mr. MASAOKA. And the Territory in which they reside.

Senator JACKSON. But the key point of the 14th amendment is: subject to the jurisdiction of the United States, you see. So there cannot certainly be any question in my mind about the fact that Hawaii is subject to the jurisdiction of the United States, and Congress could not, if they are subject to the jurisdiction of the United States, deny people who are born therein the right to United States citizenship. Now, you also have the problem of being a citizen of the Territory for purposes of voting. That is something else. But as to United States citizenship, since the adoption of the 14th amendment, I cannot conceive of how Congress could abridge it in any way if the area wherein the person is born is subject to the jurisdiction of the United States.

I may be wrong on my law.

Mr. MASAOKA. You are absolutely right, Mr. Chairman. In *Regan v. King*, decided in 1943, the Supreme Court of the United States made very clear that a person born in the United States, regardless of his ancestry, is a citizen of the United States.

We go now to one of the great charges that are raised against Hawaii becoming a State, and that is the cosmopolitan, the mixed population of that area.

As I said, I am very gratified that the members of this committee specifically pointed out that rather than being an argument against, this is an argument for statehood. I only wish that the Voice of America and the newspapers would publicize this throughout the Far East, because too often the people in the Far East have heard that the reason Hawaii was denied statehood is because of its population, largely those of Asian ancestry.

In the Orient there is a slogan which says, "A picture is worth a thousand words," and if we can give to Hawaii this picture of statehood, it would be worth, as pointed out by members of this subcommittee, thousands of words in our ideological battle with the Communists. And while we are speaking of the Communists, we might say that if we give to Hawaii statehood status, we deprive the Communists of one of their most effective tools in the Orient against the United States. We demonstrate by this picture that democracy in action does work and it does extend to the peoples of Hawaii statehood status.

We have given to the Philippines independence. We gave to Japan a democratic form of government, and then moved out. We have maintained a free China. Largely by our contributions, free Korea continues to exist. We are building up the forces and the economies of southeast Asia. These we do for peoples outside the United States. And yet for an incorporated territory, a part of the

United States, we have yet failed to give them the equality and justice to which we think they are entitled.

I think I need say no more about the population except to rephrase what the chairman has pointed out. The very fact that Hawaii has so many people of Asian and Polynesian ancestry is a way to reaffirm to the world America's belief in the brotherhood of men and the democratic precepts of equality and justice for all.

Aside from the fact that the admission of Hawaii would be in the national interest, there is the question of whether these people are assimilable.

Gentlemen, I sit here as an example of Americans of Japanese ancestry and Americans of other ancestry. If to assimilate and become an American is to obey the laws, if it is to go to our schools, if it is to participate in civic activities, if it is to be willing to go out and die for your country if necessary, then Americans of Japanese ancestry are just as assimilated and integrated as any other Americans. Indeed, as all of you are aware, in World War II, Americans of Japanese ancestry were subjected to unusual treatment and persecution, if you will. Yet, the Japanese American of Hawaii and of the mainland United States had enough faith in the American way that despite this persecution and this discrimination they volunteered to fight, and many of them died, for our country. And on the battlefield of war they purchased with their blood the right to be called and to be considered Americans.

And in the Korean war, as in World War II, they distinguished themselves with valor. They proved that Americanism is a matter of the mind and the heart and not of race or ancestry. They proved that the slant of a man's eyes does not indicate the slant of his heart.

The charge is often made, together with that of the racial composition of Hawaii, that Communists abound there, and unless the Communist problem can be dealt with, Hawaii should not be granted statehood. In this connection we hear over and over again the great influence of the Longshoremen's Union.

I think the greatest refutation of the power which communism allegedly holds over the people of Hawaii is demonstrated in the Korean war, when many members from Hawaii of the United Nations and the American Armed Forces served in Korea. Many of these people were members of the International Longshoremen's and Warehousemen's Union. And yet not a single soldier from Hawaii defected to the enemy. Not a single soldier from Hawaii showed cowardice. Not a single soldier from Hawaii was brainwashed to the extent that he did not want to be returned to the United States.

On the other hand, without impugning the loyalty of any from the mainland, the fact is clear, as this committee pointed out 2 years ago in its report, 22 soldiers from the mainland did go over to the enemy. But not a single one from Hawaii. This in spite of the fact that on a percentage basis three times as many soldiers from Hawaii served as from the mainland United States.

Not only that, but speaking again of the Communist menace, the so-called hearings of the Un-American Activities Committee were quoted to indicate the menace of communism there. Yet the fact is that exactly a month ago, when the House was holding hearings on this same question, Congressman Francis E. Walter, who is chairman

of the House Un-American Activities Committee, appeared before the House Interior and Insular Affairs Committee and urged statehood for Hawaii and indicated that under statehood the people there would be able to take care of the Communist problem as well as or better than they can at the present time.

Furthermore, I think it ought to be pointed out that the constitution of Hawaii—and it is the only constitution, as far as I know, of any of the 49 States, which has a specific prohibition against the use of Communists in public office or in public employment. If I may, I would like to cite section 3, article 14, of the constitution, which was promulgated for the 50th State 9 years ago. And that section reads as follows, and I quote:

No person who advocates or aids or belongs to any party, organization, or association which advocates the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment.

Gentlemen of the committee, we think that this is an absolute indication that the people of Hawaii and the framers of their constitution and the kind of people who will be in their legislature recognize communism for the menace that it is and will deal with it as they have in the past.

The Secretary of the Interior this morning indicated that for the past 9 years the Communists and others who were interested have been trying to eliminate a certain law relating to block strikes, and they have not been able to succeed. This and all the evidence of the FBI, the armed services intelligence forces, and, of course, your own confidential records, will indicate that communism is no more a threat in Hawaii than anywhere else, and that under statehood the people can take just as good or better care of that particular problem than they can under their present Territorial status.

The suggestion was made, in conclusion, that Hawaii, being where it is, ought to be given either independence or Commonwealth status.

Hawaii is a part of the United States, and in the interests of the United States the Congress over 60 years ago decided to make Hawaii an incorporated Territory of the United States. About that same time they did not take in the Philippines as an incorporated area, simply as an insular possession, which in time would be granted statehood.

We have lived up to our commitment to the Philippines.

As far as Puerto Rico is concerned, when it became a part of our insular possessions, it was not granted by the Congress of the United States in its wisdom Territorial rights. Recently it was given Commonwealth status.

But we should keep in mind two factors. First, that the Congress and the Government of the United States have considered Hawaii of such vital importance to our strategic and economic life that they made it an incorporated Territory; that, secondly, the people of Hawaii themselves want to become a State in the Federal Union. When these two factors are taken together, I think there can be no question in the minds of the Senate, at least, we hope, that Hawaii has always been, as far as the Congress of the United States is concerned, an incorporated Territory, which, in its appropriate time, would be given the grant of statehood.

Mr. Chairman, my understanding is that I am the last witness at these hearings. I hope—and in a sense I think it is quite appropriate—that I can come and speak for my comrades who served in the Army with me, so many of whom came from Hawaii; that this, now that Alaska, particularly, has become a State, is the time when we must act. This is the time when we can show to Hawaii by granting her statehood that we appreciate the many contributions of her people in war and in peace, the taxes that she has paid, the lives she has given to our country. And by making her a State, we not only serve the international diplomatic interests of our country, but, a point that has seldom been mentioned, we serve the economic interests of the United States, as well; for Hawaii, by the very nature of its location in the crossroads of the Pacific, is like the hub of a great wheel where more than half of the people of the world reside. Here are the great natural resources. Here are the markets of the future. And we who live along the Pacific coast, and the western part of the United States, are aware of the great economic potential of the Pacific Basin.

Thus I say in the national interest, in the international interest, as well as the business interest, of the United States, Hawaii should now be granted statehood. And I hope that when the 4th of July comes, along with Alaska, the 49th State, Hawaii can be placed as the 50th star in our Federal constellation.

Thank you.

Senator JACKSON. Thank you, Mr. Masaoka, for a very fine statement, excellently presented.

Any questions?

Senator MOSS. May I say a word about Mike Masaoka? I probably should have introduced him to begin with. This committee has just heard his very intelligent and eloquent presentation.

Mike comes from my State, and we attended the University of Utah together, and I have been very proud of our friendship over the years. Mike himself represents the finest in American citizenship, and it is fitting that he should be here to present this statement on Hawaii, particularly when the question has been raised about the oriental population. Mike is an authentic war hero of the heroic Japanese battalion, or battalion of Japanese extraction, and has served his country in a manner that few have had the opportunity to do.

I congratulate you, Mike, on your excellent statement, and I wanted to say this to the committee, because I believe that what you have told us has been very telling in this hearing.

Mr. MASAOKA. Thank you.

Senator JACKSON. Thank you very much, Senator MOSS.

Senator CHURCH. Mr. Chairman, I would like to commend the witness on his statement and to thank him for the particular emphasis that he placed upon the Communist question, inasmuch as I anticipate that this question will be raised again and again, and is likely to figure prominently in the debate on the bill on the floor of the Senate.

I think it cannot be stressed too much that there is no real relationship between the question of statehood, on the one hand, and the Communist problem on the other, in the sense that the existence of Communists in Hawaii is a reason for denying statehood. I do not think that it is remarkable that there are Communists in Hawaii; there doubtless are; there are Communists on the mainland. There is a

very powerful and important ILWU union in Hawaii. There is also a very prominent and important ILWU union on the mainland. No one has suggested that these are cogent reasons for withdrawing statehood from California.

Mr. MASAOKA. Or Washington or Oregon.

Senator CHURCH. Or any other State on the mainland.

The remarkable thing, it seems to me, is not that there are Communists in Hawaii or on the mainland, but that there are so few in either place. And I think that the witness has made a very telling point when he emphasizes to this committee that the granting of statehood can in fact be a significant weapon against communism everywhere.

And not only will it help facilitate the capacity of the people of Hawaii, through their self-government, to cope with such problems as may now or in the future exist in Hawaii, but this is also a weapon that the whole country can use in a symbolic sense in our efforts in other parts of Asia to prevent further Communist penetration.

I do feel that in respect to Alaska, Mr. Chairman, not enough attention has been given to broadcasting the significance of Alaskan statehood to the world at large, because the admission of Alaska into the Union signaled the death of a colony and the acceptance of the people of Alaska on a full and equal basis as an integral part of our Federal Union. And I understand now that more attention is being given by the Voice of America and by other news broadcasting agencies to the significance of Alaskan statehood as an achievement in our broadcasts and in our literature abroad.

I think that Hawaiian statehood will have even greater impact in this direction, for the reasons that the witness has mentioned.

I want to commend him for coming today and for making so excellent a statement.

Senator JACKSON. I should merely like to associate myself with the remarks by both of my colleagues, Senator Moss and Senator Church.

Frankly, I do not think we have taken advantage of a great opportunity to tell the people of Asia about Hawaii. I think that Hawaii can make a terrific contribution to the improvement of our standing in the Far East in a community where over half of the world's population reside.

I should like to see the time when we have developed a good scholastic exchange program, where our students, scholars, the intellectuals of the Far East, who come to the mainland, can have the opportunity to spend a portion of that time in Hawaii. They will see with their own eyes the kind of environment that has been brought about in Hawaii through freedom. After all, the great struggle that is going on in the world today boils down fundamentally to one word, freedom. And I repeat what I said earlier this morning, that I think Hawaii, by coming into the Union as the 50th State, will make a greater contribution to the other 49 States than anything that we can give to Hawaii.

Any further questions?

Thank you very much. We appreciate your statement, as we have on many other occasions when you have so effectively appeared here on the Hill.

Does anyone else desire to be heard on the question of statehood for Hawaii?

Are there any other witnesses?

The Chair has received a number of communications, and if there is no objection, they will be included in the record. One is from the AFL-CIO legislative representative in support of statehood for Hawaii, and there are some letters, not many, opposed to statehood for Hawaii, and there may be some other communications, and if there is no objection, we will receive up until tomorrow any communications that may be presented for or against statehood for inclusion in the hearings.

(The communications are printed later in this document.)

Senator JACKSON. If no one else desires to be heard, the committee's public hearings will be concluded, and we will meet in executive session to mark up the bill tomorrow at 10 o'clock. We hope to complete that tomorrow, if possible.

Thank you very much.

(Whereupon, at 2:50 p.m., the public hearings were concluded.)

(At the direction of the chairman, the following staff memorandum is made a part of the record of the hearings:)

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
THE U.S. SENATE,
March 5, 1959.

To: Senator James E. Murray, chairman, Senate Committee on Interior and Insular Affairs.

Subject: 1959 Report of Hawaiian Subversive Activities Commission.

From: Stewart French, chief counsel.

Gov. William F. Quinn, of Hawaii, has submitted to the committee a copy of the 1959 Report of the Territorial Commission on Subversive Activities, dated February 28, 1959. You will recall that this commission was established by the popularly elected Legislature of Hawaii on its own initiative in 1949, and is supported from Territorial funds. The commission points out that its maintenance over a period of 10 years has cost the Hawaiian taxpayer approximately \$180,000 or an average of \$1,500 a month.

(The question arises as to how many of those States whose representatives are opposing statehood can boast of having taken similar steps. According to J. Edgar Hoover there is no greater Communist activity in Hawaii than there is in the present States.)

Parts of the commission's 1959 report are being quoted by opponents of statehood for Hawaii who overlook the significance of the fact that the people of Hawaii have established and paid for their own subversive activities investigatory body. In view of some of the quotations that have been lifted out of the report, permit me to lift the following:

"The ranks of public employees and public officers in Hawaii are not known to contain any Communists. All known former Communists, publicly employed, have cooperated with the proper authorities in disclosing their knowledge of the Communist conspiracy. But, public employees who are members of the UPW have done nothing to rid their organization of Communists who are paid organizers and representatives of the UPW.

"The institutions of public education in the Territory of Hawaii continue to be especially alert to the danger of communism.

"Thus, Hawaii's schools and government are singularly free of Communist taint. This can be attributed in great measure to the statutes enacted by the legislature in 1949 and 1951 and to the general determination of Hawaii's government officers to exclude subversive persons and influences" (pp. 28-29, 1959 Subversive Activities Report).

The vigilance, resourcefulness, and energy of the people of Hawaii in combating communism in their midst, despite the handicap of Territorial status, is further demonstrated by their retention, despite vigorous efforts on the part of the leaders of the ILWU, of the dock seizure law of 1949. This was a measure enacted by the Territorial legislature for the purpose of dealing with the 1949 dock strike in Hawaii. It authorizes the Territorial government to take over and operate the docks.

The Territorial government did take over and operate the docks and the strike was settled soon thereafter.

Since then, the ILWU leadership has campaigned vigorously for repeal of the dock seizure law. It—the leadership—has had no more success than it had in opposing the adoption of the proposed State constitution. The ILWU leadership had insisted that the proposed constitution was too conservative, but the people adopted it by a vote of better than 3 to 1.

These are but two examples not stressed in our current hearings of the vigilance and resistance of the people of Hawaii against any suggestion of Communist domination, and of the lack of any significant influence by the ILWU leadership in matters bearing upon civic responsibility. The opponents of statehood have not been able to cite a single instance of Communist domination or control.

As our hearings—the last of a long, long series on Hawaii statehood, it is to be hoped—go to press, I note the omission of a fact in which you, as a leader in the fight for better education, will be particularly interested. The new Territorial legislature comprises 51 members of the house of representatives and 25 in the senate. The legislative biographies show that 16 out of the 25 senate members are graduates of mainland universities, and 31 out of the 51 house members likewise are mainland university graduates.

The foregoing is not in any way in derogation of the excellence of the University of Hawaii, which, by any standard, is an outstanding institution of higher learning. (The late Senator Hugh Butler, of Nebraska, the former chairman of the committee, who long was a vigorous foe of statehood but who was a great enough man to see and acknowledge his error in that respect and who then became a leader in the fight for statehood, visited the university when he and I made an inspection trip to the islands in 1952, and was greatly impressed by it.) The high proportion of mainland university graduates in the Territorial legislature is merely further evidence of the unity between the Hawaiian Islands and the mainland.

STEWART FRENCH, *Chief Counsel.*

APPENDIXES

APPENDIX A

The text of S. 50, as introduced, and the official reports thereon, are set forth below. Because of its pertinency to one of the primary points asserted by opponents of the proposed legislation, the request of the chairman to the Justice Department for specific information and comment on the Communist issue is also set forth.

[S. 50, 86th Cong., 1st sess.]

A BILL To provide for the admission of the State of Hawaii into the Union

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, is adopted as a law of said State, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for ordinary State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment or law, whether made in the constitution or in the manner required for ordinary State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for ordinary State legislation, but the qualifications of lessees shall not be changed.

except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act. It is further agreed that neither the State of Hawaii nor any subdivision thereof shall take any action or enact or enforce any law or regulation which imposes a tax, requirement or restriction which unreasonably discriminates directly or indirectly against nonresident persons, firms or corporations, their business, property, or occupational activities or opportunities.

SEC. 5. (a) The State of Hawaii and its political subdivisions, as the case may be, shall have and retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State: *Provided, however*, That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall be and become vested with absolute title thereto, or an interest therein conformable to such limitations, as the case may be.

(b) The United States hereby grants to the State of Hawaii, effective upon the date of its admission into the Union, the absolute title to all the public lands and other public property within the boundaries of the State of Hawaii, as described herein, title to which is in the United States immediately prior to the admission of such State into the Union, except as otherwise provided in this Act: *Provided, however*, That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall retain absolute title thereto, or an interest therein conformable to such limitations, as the case may be. As used in this subsection, the term "public lands and other public property" means, and is limited to, the lands and other properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or other properties so ceded. The lands hereby granted shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) The lands granted to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible, for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under the preceding subsection shall be used for the support of any sectarian or denominational school, college, or university.

(d) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property hereinabove vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto, are hereby repealed.

(e) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. Upon enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official

notification of such approval, issue his proclamation for the elections, as herein-after provided, for officers of all elective offices provided for by the constitution of the proposed State of Hawaii, but the officers so elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by the constitution or laws of said proposed State, said Representatives shall be elected at large.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election not less than sixty nor more than ninety days after said proclamation, and a general election shall take place within forty days after said primary election, and at such elections the officers required to be elected as provided in section 6 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Hawaii may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and all claims of this State
(date of approval of this Act)
to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(2) All provisions of the Act of Congress approved _____
(date of approval of this Act)
reserving rights or power to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; and section 8 of article XIV shall be deemed amended so as to contain the language of the second proposition above stated in lieu of any other language. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thereupon cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the

constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to two Representatives until the taking effect of the next reapportionment, and such Representatives shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

“(a) The district judges, except in Puerto Rico, shall hold office during good behavior. The district judge in Puerto Rico shall hold office for the term of eight years, and until his successor is appointed and qualified.”

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words “including the district courts of the United States for the districts of Hawaii and Puerto Rico,” and inserting in lieu thereof the words “including the United States District Court for the District of Puerto Rico.”

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words “, except in the district of Hawaii, where the term shall be six years”;

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words “, except in the district of Hawaii where the term shall be six years”; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no indictment, action, or proceedings shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such cases shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit,

action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, is amended by striking out paragraph (5) thereof and by renumbering paragraphs (6) and (7) as paragraphs (4) and (5) respectively;

(d) the first paragraph of section 373 of title 28, United States Code, is amended by striking out the words "United States District Courts for the districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in commission as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such action the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,".

SEC. 15. All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as hereinbefore provided with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to the admission of the State of Hawaii into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of the admission of the State of Hawaii into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

SEC. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (i) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes.

SEC. 17. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu

of such sentence the following: "When the State of Hawaii or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

SEC. 18. (a) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, its Territories or possessions, or as conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "and island possession or island territory", the words "the State of Hawaii, or";

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "an island possession or island territory" the words "the State of Hawaii, or".

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 20. Section 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a)(36)) is amended by deleting the word "Hawaii".

SEC. 21. Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d)(7)) is amended by deleting from the third line of the first sentence thereof the word "Hawaii," and by deleting the proviso contained in the first sentence thereof.

SEC. 22. The first sentence of 310(a) of the Immigration and Nationality Act (66 Stat. 239, 8 U.S.C. 1421(a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Alaska".

SEC. 23. Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 24. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

SEC. 25. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
January 14, 1959.

Hon. WILLIAM P. ROGERS,
Attorney General of the United States,
Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: The Senate Committee on Interior and Insular Affairs requests the views of the Department of Justice on S. 50, a bill to admit Hawaii to statehood. A copy of the measure as introduced by me as

committee chairman for myself and 53 other Senators of both parties is submitted herewith.

For a number of years statehood for Hawaii has been an active issue before Congress. In the 83d, 84th, and 85th Congresses, President Eisenhower has specifically made it a part of his program, setting forth his recommendations in either his state of the Union or budget messages. Again in his state of the Union message last week he once more gave endorsement to Hawaii statehood in this, the 86th Congress. During all of this time, and indeed since the 80th Congress, there have been charges and innuendo that Communist influence in the Territory was such that the Senators and Congressmen elected from the State of Hawaii would be under the influence of, or at the very least, sympathetic toward Communists. Repeated investigations and inquiries by this committee and other committees of Congress have never brought forth any evidence worthy of the name that this condition does exist, in fact. At least, no such evidence has ever been brought to my attention despite direct appeals.

However, the charges and innuendo continue. Your Department, through the FBI, is uniquely equipped to evaluate the charges and innuendo of effective Communist power within the Territory of Hawaii.

If there is substantial evidence that Communist power and influence in Hawaii is such that the Senators and Congressmen necessarily would be subject to Communist influence, then the Congress should know it. If there is no such evidence, then the Congress and the American people should know that fact, as well. Justice and fairness to the more than half a million American citizens in Hawaii, and, in the event there is a basis for the charges, the security of our Nation, demand a clear-cut statement from you based on a responsible interpretation of the facts in your Department's possession.

Accordingly, the committee specifically requests that your report address itself, frankly and directly, to this issue, as well as to any provisions of the measure itself upon which you care to comment.

Sincerely yours,

JAMES E. MURRAY, *Chairman.*

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., February 4, 1959.

Hon. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR SENATOR: In your letter of January 14, 1959, to the Attorney General you request to be advised whether or not this Department has in its possession evidence that would substantiate allegations "that Communist power and influence in Hawaii is such that the Senators and Congressmen (elected there) necessarily would be subject to Communist influence." Your letter of January 19, 1959, to the Attorney General also relates to the same problem.

Information in our possession would not substantiate the allegation that Senators or Congressmen elected in Hawaii would be subject to such influence. Moreover, you will recall that in my letter to you of July 9, 1958, concerning statehood for Hawaii, I stated that the Department's position in support of statehood was firm and unequivocal. Our position remains unchanged.

The comments you requested concerning the provisions of your bill for statehood for Hawaii are in the process of preparation and will be forwarded to you upon their completion.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., July 9, 1958.

Hon. JAMES E. MURRAY,
U.S. Senate, Washington, D.C.

DEAR SENATOR: Yesterday the Department received word that you were under the impression that your letter of January 13, addressed to the Attorney General had not been answered. I am writing because I am afraid that your files may not show that in response to your letter, Mr. J. Walter Yeagley of this Department:

did communicate with Mr. Stewart French, counsel to the Committee on Interior and Insular Affairs, as your letter requested. As Mr. French further confirmed yesterday, it was our understanding that we had given you all the information you required.

The Department's position in support of Hawaiian statehood is, of course, firm and unequivocal. It is expressly set forth in Mr. Rogers's letter to you, dated April 8, 1957. In that letter Mr. Rogers wrote:

"The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1958. * * *"

Insofar as claims with respect to communism are concerned, the matter was discussed by Mr. Rogers in a letter to Senator Jackson, dated March 28, 1957, which was specifically called to Mr. French's attention by Mr. Yeagley last February.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 13, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate,
Washington, D.C.

MY DEAR MR. CHAIRMAN: This will reply to your letter of January 14, 1959, requesting the comments and views of the Bureau of the Budget on S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

The President has strongly urged the enactment of legislation to admit the Territory of Hawaii into the Union. The President stated in his annual budget message transmitted to the Congress on January 19, 1959, that it would be "unconscionable" if this action were delayed any longer. We believe that Hawaii is fully prepared to assume the responsibilities that go with statehood and should be permitted to take its rightful place as an equal member of the Union.

Section 15 of the S. 50 would continue in force and effect all Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union, except as modified or changed by the Statehood Act or the State constitution. Territorial laws would be subject to repeal or amendment by the Legislature of the State of Hawaii. Territorial laws are defined to include "all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union."

The purpose of the foregoing section is to assure necessary continuity of laws until such time as the legislature of the new State can enact laws for the control of its internal affairs. The definition of "Territorial laws" as including laws enacted by the Congress for the government of the Territory may have the result, in some instances, of continuing Federal responsibility for the administration of laws regulating intrastate commerce. While it may be highly desirable that Federal officials continue administration of such Territorial laws for a transitional period, considerable confusion might arise if the termination of Federal responsibility were left solely to future action by the State legislature. We suggest, therefore, that section 15 be amended to make clear that such Federal responsibility will cease either on a date specified in the Statehood Act, or on the effective date of any law enacted by the State legislature which modifies or changes such Territorial law, whichever occurs first.

The Bureau of the Budget supports the objectives of S. 50, and you are hereby advised that the enactment of legislation to provide for the admission of the State of Hawaii into the Union would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 4, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR MURRAY: This will reply to your request for the views of this Department on S. 50, providing for the admission of the Territory of Hawaii into the Union.

We urge the enactment of Hawaii admission legislation. We shall be glad to assist the committee in any way it may desire in connection with the technical language of the bill.

Now that the admission of Alaska as a State in the Union is a fact, we believe that the prompt admission of Hawaii, our only remaining incorporated Territory, will represent a timely addition to this Nation's complement of States. Furthermore, the admission of Hawaii will fulfill a solemn obligation on the part of the United States to the people of Hawaii—first expressed in the Treaty of Annexation in 1898.

The bill provides for the admission of Hawaii into the Union as a State, and prescribes the procedure to be followed for that purpose. It properly recognizes the actions already taken by the Government and the people of the Territory to form and adopt a State constitution, and ratifies those actions.

With the admission into the Union of Alaska, many of the objections formerly argued against the admission of Hawaii are no longer applicable. The opposition to admission of noncontiguous areas, for example, is obviously outdated. In fact, Hawaii is in every way as well qualified for statehood as is Alaska.

Hawaii is truly American in every aspect of its life. Its people have been citizens of the United States since 1900; they have no other loyalty. They have lived under the same laws, paid the same taxes, and enjoyed the same constitutional guarantees as other Americans for over half a century. The Americanism of the people of Hawaii goes beyond mere legal conformity. Hawaii is pervaded by American ideals and practices in its civic organizations and private charities, in its educational system and its athletics, in its press and radio, and in its way of living generally.

While a substantial proportion of Hawaii's people are of racial extractions originating in a distant continent, we believe there are no finer patriots in the Nation—as was proved by the kind of service given by Hawaii's sons during World War II and the Korean conflict.

Hawaii has also met every objective test of fitness for statehood. The civilian population of Hawaii for 1958 was estimated by the Census Bureau to be 578,000. Although recent figures on military population cannot be revealed for security reasons, it seems likely that the military population in 1958 amounted to about 59,000, the same figure as for 1957, thus giving Hawaii a total of 637,000 for 1958.

Thus, Hawaii's population exceeds that of the following six States: New Hampshire, 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, 214,000.

In recent years Federal Internal Revenue collections in Hawaii have generally exceeded those in 10 of the present States. In fiscal 1958, such collections in Hawaii amounted to \$166,306,000, which were greater than the collections in New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, or Alaska.

The Hawaiian tax commissioner has estimated the islands' gross territorial product for 1958 at the impressive total of \$2,109,890,000.

For many years the people of Hawaii have exercised self-government in a manner that demonstrates their firm adherence to the ideals of free government. The Hawaiian economy is well-developed and prosperous. It can easily support the slight additional expense to the Hawaiian taxpayer that will result from statehood.

The Territory of Hawaii has repeatedly petitioned for statehood, and 8 years ago adopted a State constitution which was ratified overwhelmingly by the voters. The constitution evidences a sound and mature grasp of governmental problems.

President Eisenhower has repeatedly recommended statehood for Hawaii. In opening his state of the Union address on January 9, the President said: "May I voice the hope that before my term of office is ended I shall have the oppor-

tunity and great satisfaction of seeing the 50th star in our national flag." And in his budget message to the 86th Congress, the President stated: "I again recommend that the Congress enact legislation to admit Hawaii into the Union as a State, and to grant home rule to the District of Columbia. It would be unconscionable if either of these actions were delayed any longer."

We appreciate this opportunity to again express our views on this important subject. And we stand ready to aid your committee, in any manner, to assure early consideration by the Congress of the petition of the people of Hawaii for admission of Hawaii into our Union. As a matter of simple justice, the prompt admission of Hawaii, our last incorporated Territory, should be accomplished as soon as possible.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D.C., February 12, 1959.

HON. HENRY M. JACKSON,
Chairman, Subcommittee on Territories and Insular Affairs, Committee on Interior and Insular Affairs, U.S. Senate.

DEAR MR. CHAIRMAN: The Secretary of Defense has asked me to reply to your letter of February 6, 1959, in which you announced hearings for February 25, 1959, pertaining to S. 50, the Hawaiian statehood bill. You stated the committee's desires to limit the hearings to new testimony, and asked the Secretary to advise you should he desire to present testimony.

The Department of the Navy is the action agency for this bill in the Department of Defense. Rear Adm. K. M. McManus, USN, represented the Department in recent hearings on a similar bill before the House Committee on Interior and Insular Affairs. Your letter has been considered, and it has been concluded that the testimony that any Department of Defense witness would give would contain nothing new. The report of the Department of Defense on S. 50, now in preparation and soon to be submitted, recites all views and considerations of the Department on this bill. Accordingly, no witness representing the Department of Defense is presently contemplated.

Thank you for your consideration.

Sincerely yours,

CARLTON R. ADAMS,
Captain, USN, Deputy Assistant to the Secretary (Legislative Affairs).

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., February 25, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: Your request for comment on S. 50, a bill to provide for the admission of the State of Hawaii into the Union, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

With regard to the military aspects of statehood for Hawaii, this bill provides for retention of ownership by the United States in all lands held for military purposes. The bill further provides that concurrent jurisdiction over such lands is to be vested in the State of Hawaii and the United States with the reservation to the Congress of the authority, by legislative process, to take exclusive jurisdiction on behalf of the United States. These provisions are satisfactory to this Department.

At the present time the military departments are occupying about 114,000 acres of ceded land under Territorial license. As there is no provision in S. 50 for the continued use of this land without cost, this Department could be deprived of the free use of such land. Following the hearings before the House Com-

mittee on Interior and Insular Affairs, H.R. 4221 was introduced. Section 5(d) of that bill reads:

"Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the 5 years following the admission of Hawaii into the Union, be set aside by act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States."

This provision of H.R. 4221 would protect the interests of the Department of Defense and, at the same time, would permit the necessary time for the determination of the land needs of the Department by providing for a 5-year period in which to withdraw for Federal use that land which is being used by the military departments but which has not actually been withdrawn on the date on which Hawaii is admitted to the Union. It is therefore recommended that S. 50 be amended to include the above-quoted language.

As a technical matter, it is recommended that there be an explicit showing in any bill enacted that not only the Submerged Land Act of 1953, but also the Outer Continental Shelf Lands Act will apply to the State of Hawaii.

Additionally, section 16(b) of S. 50 retains jurisdiction in the United States over lands "controlled or owned" by the United States and held for Defense or Coast Guard purposes (line 20, p. 20), and provides that such jurisdiction shall vest in the United States only so long as the particular land involved "*is owned*" by the United States (line 20, p. 21). The italicized words should conform with the preceding language and read "is controlled or owned".

If amended in accordance with the foregoing, the needs of the services would be adequately safeguarded and the Department of the Navy on behalf of the Department of Defense would support the provisions of S. 50.

This report has been coordinated with the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report on S. 50 to the Congress.

For the Secretary of the Navy.

Sincerely yours,

R. L. KIBBE,

Captain, U.S. Navy, Deputy Chief of Legislative Liaison.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 5, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR SENATOR MURRAY: This is in reply to your letter of January 14, 1959, requesting a report on S. 50, a bill, "To provide for the admission of the State of Hawaii into the Union."

The Department's overall position on this bill may best be set forth by quoting from the President's state of the Union message, dated January 9, 1959:

"May I voice the hope that before my term of office is ended I shall have the opportunity and the great satisfaction of seeing the 50th star in our national flag."

We have no comments on the specific language of the bill because it does not directly affect this Department.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON, *Assistant Secretary.*

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM.
Washington, February 11, 1959.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

MY DEAR MR. CHAIRMAN: This is in response to your letter of January 26, 1959, requesting a report with respect to a bill, S. 50, "To provide for the admission of the State of Hawaii into the Union."

The only provisions of this bill that directly affect the Federal Reserve System are those contained in section 17 which would amend section 2 of the Federal Reserve Act to provide (1) that when the State of Hawaii or any State is hereafter admitted to the Union the Federal Reserve Districts shall be readjusted by the Board of Governors so as to include such State, and (2) that national banks in any new State shall become members of the Federal Reserve System within 90 days after admission of such State into the Union.

These provisions were recommended by the Board of Governors for inclusion in both the Alaskan and Hawaiian statehood bills when such bills were under consideration by the Congress in previous years. The Board hopes therefore that these or similar provisions will be retained in the present bill.

As a matter of drafting, it may be noted that the second part of the proposed amendment to section 2 of the Federal Reserve Act, regarding membership in the Federal Reserve System of national banks in a new State, is identical with an amendment which was contained in the Alaskan Statehood Act approved July 7, 1958, and that therefore this amendment is no longer necessary. It may also be noted that the first part of the proposed amendment to section 2 of the Federal Reserve Act would have the effect of changing a sentence added to the law by the Alaskan Statehood Act, regarding the readjustment of Federal Reserve districts to include the State of Alaska, so as to refer to "the State of Hawaii or any State" instead of "the State of Alaska." It would be sufficient, therefore, if the present bill merely amended the next to the last sentence of the first paragraph of section 2 of the Federal Reserve Act to substitute for the words "the State of Alaska" the words "the State of Alaska or Hawaii."

Sincerely yours,

WM. MCC. MARTIN, Jr.

THE SECRETARY OF COMMERCE,
Washington, D.C., March 5, 1959.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in reply to your request of January 14, 1959, for the views of this Department with respect to S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

The comments which follow are limited to the effect of enactment of the bill on the transportation activities of this Department.

Enactment of the bill would not affect any of the transportation responsibilities of the Department of Commerce. Hawaii receives Federal-aid highway grants on the same basis as other States with the exception of funds for the Interstate System which is not appropriate to Hawaii because of its geography. Section 18 of the bill provides for the continuance of the jurisdiction of the Federal Maritime Board over shipping between Hawaii and the mainland, a provision satisfactory to this Department.

This Department would, therefore, recommend the enactment of S. 50.

The Bureau of the Budget has advised that it would interpose no objection to the submission of this report to your committee.

Sincerely yours,

FREDERICK H. MUELLER,
Under Secretary of Commerce.

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, D.C., January 14, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR MURRAY: I have your letter of January 8, requesting that your committee be supplied with the latest information on the population of Hawaii.

There are enclosed three copies of our report, series P-25, No. 189, giving provisional estimates of the population of States and selected outlying areas of the United States as of July 1, 1958. This shows the civilian population of Hawaii for that year as 578,000 and the total population for July 1, 1957, as 613,000.

Sincerely yours,

ROBERT W. BURGESS,
Director, Bureau of the Census.

APPENDIX B

(COMMITTEE NOTE.—The committee received a large number of communications respecting the issue of statehood for Hawaii, all of which were carefully considered by it. The majority favored enactment of the admission legislation, but there were also several in opposition. Some of these latter were not signed and hence are not printed in the record. Others were indecipherable. All of the communications in opposition which were received by the committee up to the time of going to press are set forth below.)

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
February 5, 1959.

MR. RICHARD L. CALLAGHAN,
Staff Director, Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR MR. CALLAGHAN: Here are some copies of an article by Dr. Hargis, which I have been asked to pass to the Members of the Senate most concerned. Since the Hawaii statehood bill will come before your committee, I am sending these on to you for whatever disposition you think best.

Sincerely,

JAMES O. EASTLAND,
Chairman, Internal Security Subcommittee.

[From article by Dr. B. J. Hargis, director of Christian Crusade, Tulsa, Okla., August 1958]

SHOULD HAWAII BECOME THE 50TH STATE?

In a report dated June 21, 1949, the Senate Committee on Interior and Insular Affairs stated: "Since V-J Day, in September 1945, the Hawaiian Islands have become one of the central operations bases and a strategic clearinghouse for the Communist campaign against the United States of America." The report warned us that "by the well-known infiltration tactics of world communism, a relative handful of Moscow adherents in the islands, operating chiefly through the ILWU (International Longshoremen's and Warehousemen's Union), has persistently sabotaged the economic life of the Territory. This premeditated campaign of sabotage, through strikes, slowdowns, arbitrary work stoppages, and violent racial agitation, is inspired, managed, directed, and financed largely through the international headquarters of the ILWU in San Francisco." The report said that "Harry Bridges, president of the ILWU, is the unseen Communist dictator of the Territory of Hawaii."

This investigation began early in 1948 and was abandoned in June 1949 after a move in Congress for Hawaiian statehood was sidetracked by this explosive report. The complexion of our Congress has moved more toward the left since 1949 and there is some doubt that even such facts as those I have just described will halt them now. Certainly, when direct aid to Communist conspiracy govern-

ments is voted by Congress, we can fear the worst for our Nation in any vote involving national security. * * *

Patrick Walsh, formerly a Kremlin agent in Canada, the United States, France, Britain, and Italy, identified Bridges as a vice president of the Cominform maritime apparatus. A report by the Senate Interior Committee during 1949 stated, "The Communist International maintains a special agency to distribute Moscow decisions and orders to the 67 nationwide Communist Parties throughout the world * * *." Harry Bridges' union was expelled from the CIO in 1949 after findings that the entire organization was Communist dominated. * * *

After 8 years, the investigation started by the Committee on Interior and Insular Affairs was resumed by the Senate Internal Security Subcommittee in December 1956. One of the first witnesses was Gen. John W. O'Daniel, known as Iron Mike and former commanding general of the U.S. Army forces in the Pacific from 1952 through 1954. He told the subcommittee that the danger from communism in Hawaii was "just as great, if not greater, than in 1948." He said that the islands are very important militarily and that the Communists spend \$220,000 a year on organizational work there. * * * The Senate committee described the Communist operation to take over the Democratic Party in Hawaii. Representative Carroll Reece, of Tennessee, described the Senate committee's findings as follows: "First, the Reds took control of the ILWU; next the ILWU offered to 'assist' the Democratic Party, then devoured it." The committee report stated: "John Wayne Hall, the leader of the ILWU in the Hawaiian Islands, met with Harry Kronick, a leader in the Democratic Party in Honolulu, during September 1947, to determine policies for assistance to be given the Democratic Party by the ILWU. * * * By March 1948 the ILWU had undertaken a militant campaign to infiltrate and control the Democratic Party from the precinct level up through the Territorial convention, which was scheduled for May 1948. This infiltration * * * was under the direct leadership of Harry Lehua Kamoku, a recognized Communist and a prominent ILWU leader. * * * The Democratic Territorial Convention was held in Honolulu on May 2, 1948, at the McKinley High School auditorium. Forty-one Communist Party members were delegates or alternates to this convention. They controlled every committee in the convention."

Victor Riesel * * * went to Hawaii a few years ago to try to discover the source of Bridges' power. He reported some of his findings in the American Legion magazine for October 1956. Mr. Riesel said, "I found courageous journalists and businessmen trying to fight back. I found labor leaders, isolated as well as insulated, trying to fight, but utterly ignored by their national leaders at home who have not dispatched money or manpower for an effective fight on Bridges' machine. I found that Bridges' and Hall's power was so strong that their agents could wander through the legislative chambers at will. They received copies of secret documents before special legislative committees received them * * *."

In his article, Riesel informed us that the Kremlin announced to Communists during December 1955 that they considered Hawaii a "colonial area" * * *. Communist magazine mentioned Hawaii and American-run Samoa as examples of capitalist "colonialism." The Kremlin announced that these areas must be liberated by "revolutionary action."

In this drive for Hawaii, the conspirators want Hawaii to become a State, probably so they can send their Senators and Representatives to Washington and for other reasons. The Senate committee in June 1949 warned us: "Statehood for Hawaii is a primary objective of Communist policy in the Territory. The ILWU and the Communist Party say frankly that they could control a clear majority of the delegates who would write the new State constitution." Should Hawaii be our 50th State?

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
February 12, 1959.

HON. JAMES O. EASTLAND,
Chairman, Internal Security Subcommittee, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: Dick Callaghan, our committee staff director, has shown me the copy of the article by Dr. B. J. Hargis, of Tulsa, Okla., in opposition to my bill for statehood for Hawaii which you sent to him. Several other persons also have sent me copies of the article, but I read it again, in the light of its submittal by you, with close attention.

Dr. Hargis' assumptions and conclusions are completely at variance with the findings of the Department of Justice, which has all of the resources of the Federal Bureau of Investigation at its disposal, and with those of the Members of the Senate and of the House who conducted painstaking investigations throughout the islands during the recess.

In the event that the formal report submitted by Congressman Leo O'Brien, chairman of the House Subcommittee on Territories, may not have come to your attention, I take pleasure in enclosing a copy.

Also, I am submitting copies of my formal inquiry of the Attorney General and his recent reply to me.

Our Territories subcommittee is opening hearings on S. 50 on Wednesday, February 25, and on behalf of its members and those of the full committee I wish to extend an invitation to you to appear at the hearing, at your convenience, and present any facts or views you believe might be helpful.

In any event, I will see to it that the article which you transmitted is called to the attention of the committee.

Sincerely yours,

JAMES E. MURRAY, *Chairman.*

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
March 2, 1959.

Hon. INGRAM M. STAINBACK,
*Supreme Court of Territory of Hawaii,
Judiciary Building, Honolulu, T.H.*

DEAR JUDGE STAINBACK: I have read with keen interest your letter and its enclosures urging amendment to S. 50 to give the people of Hawaii the alternative of choosing between statehood and commonwealth status. Your enclosures also were most stimulating.

As you point out in your letter to the Advertiser, I am not a lawyer. However, I have given our political system, and its history, some little thought and study. Traditionally we have had States, Territories, and island possessions. Territories have been of two kinds, incorporated—that is, those areas to which Congress has expressly extended the Constitution—and unincorporated. (I confess I am somewhat surprised that you, who are a lawyer and a judge, make so much of the dissents in the insular cases rather than accepting the majority opinions, which after all do state the law as it is, rather than as you think it ought to be).

Commonwealth was unknown to our political system, except for the transitory status of the Philippine Islands, until we acquiesced in its establishment in Puerto Rico in 1952 in accordance with the unquestionable desires of the great majority of the people of Puerto Rico.

Beginning with the time Puerto Rico came under the American flag as a result of the war with Spain, the relationships between the Federal Government and Puerto Rico have been unique. The island always was outside our internal revenue system, and the Constitution of the United States was never extended to it. The act approving the commonwealth form of government which the people of Puerto Rico, on their own initiative, had drafted for themselves did not change this basic fiscal or legal relationship.

Hawaii, on the other hand, is in a very substantially different relationship, historically, legally, and factually. Last year, Hawaii paid some \$166 million into the Federal Treasury, thus contributing more than 10 of the existing States. Since the imposition of the income tax, she has paid in something like \$2.3 billion.

To deprive the Federal Treasury of this source of revenue in times such as these should be the subject of much careful thought and study. Philosophically, there is grave question as to the desirability of extending any further the principle of relieving special groups of American citizens from support of the Federal Government. These matters are not something that could, or should, be done by a simple amendment to a pending bill intended to accomplish a wholly different purpose.

Much more persuasive to my mind, however, is the fact that the people of Hawaii have incontrovertibly given proof that their desire is statehood, not some other, lesser status. As I am certain you know even better than I, in the last general election there was an organized Commonwealth Party on the ballot in Hawaii. The Commonwealth Party's candidate for the Territory-

wide offices of Delegate, Mr. E. A. Brenner, received but 1,066 votes out of a total nearly 155,000 ballots cast.

To me, that is conclusive evidence of how little our 600,000 fellow-American citizens in Hawaii think of any status other than full American citizenship, which means the right to help choose their own national officers and help write their own national laws—including of course, the tax laws.

As I say, I found your ideas most stimulating, and, while I cannot agree with them, I think you should be heard. Accordingly, I am calling your letter and its enclosures to the attention of each of the committee members, and having it printed in the record of our hearings where your material will be available to every Member of the Senate.

I was genuinely glad to hear from you on this matter.

Sincerely yours,

CLINTON P. ANDERSON.

SUPREME COURT,
TERRITORY OF HAWAII,
Honolulu, T.H., February 20, 1959.

Senator CLINTON P. ANDERSON,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR: A few days ago at lunch I happened to meet Randolph Crossley who told me that he had recently sat next to you on a plane trip to Chicago and that you did not now appear so enthusiastic for statehood. In the discussion that followed, Randolph Crossley stated that if the voters of Hawaii were given the choice of statehood or Commonwealth (a tax-exempt Territory, as he termed it), they would vote 3 to 1 for such tax-exempt Territory.

I am, therefore, suggesting that an amendment be made to the pending statehood bill giving the people of the Territory the right to vote for statehood or for the Commonwealth status for Hawaii.

It would be necessary to allow some little time before such an election so that the people could secure full information on Commonwealth, which status has been completely distorted and misrepresented in Hawaii. In fact, the term "Commonwealth" is almost a bad word to many citizens of the Territory who do not realize that Commonwealth would give us a higher status than that of the present Territory.

From my own conversations with numerous people, I believe a large majority of the voters would favor such in a choice between statehood and Commonwealth.

The local people have made no effort to obtain Commonwealth, because they feel it is hopeless, many believing that the Congress could not grant such an exemption to an incorporated Territory, arriving at this conclusion from an opinion circulated by the chamber of commerce, which opinion is clearly erroneous. Others have said that Congress would never give up this large source of revenue, not realizing that Congress has exempted either directly or indirectly by the return of taxes every territory under its control (Puerto Rico, the Virgin Islands, Guam) except Hawaii.

I am enclosing for your information copy of a letter dated August 20, 1958, which I wrote to the Honolulu Advertiser and which was published therein at that time. This letter was replied to in a lengthy letter by a Professor Roberts, of the University of Hawaii. Senator Olin D. Johnston, who was then in the Territory, wrote a reply to the letter of Professor Roberts, the Senator's letter being printed in the Honolulu Advertiser, and copy of which is enclosed herewith. Thereafter, Professor Roberts wrote a lengthy answer to Senator Johnston's letter, a copy of which is likewise enclosed. I then wrote to the Honolulu Advertiser on September 25, 1958, replying to Professor Roberts' criticism of Senator Johnston, a copy of which you will find enclosed. However, the Advertiser refused to publish my September 25 letter which, of course, it had a perfect right to do.

The Commonwealth status would not necessarily be final. As pointed out in Senator Johnston's letter, Hawaii might thereafter become a State, in which case its experience in local self-government as a Commonwealth would be invaluable. Further, if the Communists obtained too much control, the Congress still having complete control of the Territory could, if it were necessary, change our form of government in such manner as to best protect the Nation and the Territory.

I believe that granting Hawaii statehood at this time would be disastrous, at least from an economic standpoint, as I think my enclosed letters clearly show.

With kind regards, I am,

Yours sincerely,

INGRAM M. STAINBACK.

SUPREME COURT,
TERRITORY OF HAWAII,
Honolulu, T.H., August 20, 1958.

EDITOR,

The Honolulu Advertiser, Honolulu, T.H.

SIR: Anent your recent editorial telling of the number of inquiries addressed to the chamber of commerce, the Visitors Bureau, etc., because of the publicity regarding statehood for Hawaii, I wonder what was told to those inquiring as to business opportunities in Hawaii.

Were they informed that Hawaii is one of the most heavily taxed of all the States and Territories, that its per capita tax is near the top, exceeded by only 3 States, although its per capita income is 8.5 percent below the average State income, Hawaii's average income being exceeded by 26 States?

Were they told that our bond issue is now \$94 million, as contrasted with \$8 10 years ago; that another \$56 million bond issue has been authorized which would place the Territory approximately \$42 million above the amount permitted under the provisions of the organic act; that the last few years, until the heavy taxes imposed by the last legislature, the Territory was in the red and that moneys must be raised to retire, as well as to pay the interest upon, the bond issue, and that all this will make for an increase of the existing high taxes?

Were they told of the bases of the income of the inhabitants of the Territory: that heading the list and constituting about one-third of such income are the expenditures of the armed services, next sugar, pineapples, and tourists?

Were they told that we cannot continue to count indefinitely upon these huge governmental expenditures—now swelled by Capehart housing projects and other huge construction programs here and in Guam and other parts of the South Pacific—nor can we count upon the maintenance here of the large military forces by the United States which is practically on a war basis, it is true, rendered necessary by conditions facing the world, but contrary to our traditions as a peace-loving nation; that we cannot count upon these extraordinary construction expenditures continuing for more than 1 or 2 years at most?

Were they told that sugar, with its high costs of labor and production, is in Hawaii a dying industry whose total employment has dropped from 44,605 in 1939 to 16,791 in 1957, and with the prospects that due to further mechanization the number of employees will be lessened during the coming years (even assuming one or more plantations will not have to go out of business because of the recent prolonged strike); that the number of pineapple employees has decreased from 15,723 in 1939 to 12,986 in 1957, with no prospects of increase in the number of employees in the future; that where the Hawaiian production of canned pineapple formerly constituted 90 percent of the world's production, today it constitutes only about 60 percent, and that pineapples, too, are facing foreign competition for world markets made doubly difficult by high costs of production in the form of increased taxes and wages?

Were they told the tourist business is a luxury business? When a recession occurs, when revenue is most needed, this business shows a rapid decrease; that the tourist trade has ordinarily increased about 10 percent per year for the last decade, but the first few months of this year showed an actual decrease due to the business recession?

Were they told that if we are to furnish employment to our rapidly growing population we must have new industries?

Were they told that Hawaii, unlike Alaska, has no large areas of land open for homesteads, no huge deposits of minerals, coal, oil (I hope), or immense stands of timber?

In the frenzied fight for statehood, have our people been informed that statehood would not add one cent to our revenues but, on the contrary, would add to our expenditures? That with rising expenditures, and increasing taxes, it would be difficult, if not impossible, to attract new industries to Hawaii as a State, but more likely tend to drive away some of those already here?

Have our people been informed that we only need ask the Congress of the United States and we could obtain a Territory free from Federal taxes, similar

to Puerto Rico? Under this 'tax-free Territory, or Commonwealth as it has been designated, Federal income and excise taxes averaging approximately \$154 million a year would no longer drain out of the Territory. It would be saved to our businessmen, our corporations, our professional men, our employees, employers, and laborers. The amount of 1 year's savings to our taxpayers would be more than the present Territorial budget for a 2-year period. Under this system, it is obvious that only a small part of this annual saving would be sufficient to meet the Territorial deficit, retire its bonds, and leave large sums for the betterment of conditions by way of public improvements, and tax and other inducements to new industries; that we would have an economic revival unequaled since annexation.

Have they been told that the tax-incentive plan has been particularly successful in Puerto Rico for attracting investment; that 20 years ago the situation in Puerto Rico was so bad that a Senate committee called it unsolvable because it was a scandal of slums, disease, overpopulation, and poverty? But now, to quote from a pamphlet of the First National Bank of New York entitled "The Land of Growing Hope":

"The island (Puerto Rico)—a one-crop economy—was a stricken, near-desperate land as sugar prices tumbled in the wake of the great depression.

"Today Puerto Rico is a land transformed. * * * Its industrial progress is evident in one statistic: at the end of 1957 there were 504 industrial plants in operation—against only 21 10 years earlier. * * *

"Puerto Rico's unique status, developed to fit economic needs and cultural realities, is based upon Public Law 600 enacted by the 81st Congress in 1950 and ratified * * * by a plebiscite of the Puerto Rican people."

The 300 products of the new factories include such items as plywood, plastic dinnerware, pens, shoes, electronic components, surgical instruments, optical lens, fur coats, carpets, petroleum products, etc., giving jobs to 40,000 people.

In contrast to Hawaii's bonded indebtedness of \$94 million, note that the bonded indebtedness of Puerto Rico was \$49 million in 1957 while the legal debt limit is \$108 million.

In addition to exemption from Federal taxes, Puerto Rico offers a number of inducements to new industries such as exemption from its local taxes for a number of years (10), vocational training for laborers, technical advice, buildings for lease or sale, government loans and cash subsidies to needed enterprises. (I believe the Hilton Hotel was built by the Government of Puerto Rico and thereafter leased to the Hilton enterprises.)

It has been suggested by some that one of the reasons for the attraction of new industry to Puerto Rico is the low wages of labor. Low wages, however, do not mean cheap production. Puerto Rico had no labor to begin with except agricultural workers, many ill-educated or illiterate, subject to disease, and far from being skilled workers. Hawaii, in contrast, has a surplus of well-trained, well-educated, healthy, and competent workers whose wages, though higher, would be cheaper in the end because of their high productivity.

Although many question whether we could obtain a tax-exempt Territorial status if we sought it, it is my firm conviction there would be no difficulty in obtaining this exemption which now is granted to all the other Territories (except Alaska) either directly, or indirectly by returning the amount of the taxes collected, on the theory that there should be no taxation without representation. See two opinions of Judge Learned Hand (*Porto Rico Coal Co. v. Edwards*, 275 Fed. 104, and *Neuss, Hesslein & Co. v. Edwards*, 30 F. 2d 620) holding "there can be no doubt that Congress may prefer the Territories, imposing the resulting burdens on the States at large, just as it may directly tax them and cover the proceeds into the Treasury * * * for the preference granted is to a community which has no voice in the result."

I have talked with many of the leading Members of the Congress, including over a score of Senators, and the opinion of such individuals, including many who are for statehood, is that such a status would be granted Hawaii if Hawaii would request the same, although the Congress will not force the status upon us. In this connection it is interesting to note that, according to the newspapers, the Secretary of the Interior, Mr. Seaton, himself one of the most ardent advocates of statehood, made the remarks that he would favor Commonwealth status for Hawaii if Hawaii desired it.

Respectfully,

INGRAM M. STAINBACK.

[Published in the Honolulu Advertiser, Sunday, Sept. 7, 1958]

U.S. SENATE,
Washington, D.C., September 4, 1958.

EDITOR,
Honolulu Advertiser, Honolulu, T.H.

SIR: An article in a Honolulu newspaper by a Professor Roberts has been called to my attention wherein the writer makes the assertion that the Congress does not have the power to change Hawaii into a commonwealth and exempt it from Federal taxation without an amendment to the Constitution.

There is no provision in the Constitution providing for "incorporated" or other types of Territories. The single provision in the Constitution relative to Territories is contained in article IV, section 3, that "The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States." Under this article, the Congress in the government of the Territories has plenary power relative to the form of government it shall establish for Territories and such governments may not necessarily be the same in all the Territories and may be changed from time to time.

Some time ago, after reading reports of endorsement of various groups supporting statehood, I made the remark in the Senate that "they have compelled me to delve into some of the past of the Hawaiian situation. My curiosity was intensified and sharpened by the unadulterated dicta in the opinions of the Supreme Court cited in the report.

"I found in the reports not one opinion which was anything but dictum. If the Senators will read them they will come to the same conclusion.

"As a lawyer I have always known that when an adversary in a lawsuit had to rely upon obiter dicta to support his legal position, he did not have a strong case."

I know of no lawyer in the Senate who has questioned the right and power of Congress to set up for Hawaii a new type of government and call the same commonwealth.

After such change, Hawaii would still be "Territory" of the United States and subject to the power of Congress to make changes from time to time as it might see fit and could eventually become a State if Congress and Hawaii both desired such.

Respectfully,

OLIN D. JOHNSTON,
U.S. Senator from South Carolina.

SUPREME COURT,
TERRITORY OF HAWAII,
Honolulu, T.H., September 25, 1958.

EDITOR,
Honolulu Advertiser, Honolulu, T.H.

SIR: To comment upon some of the statements in the letters of Professor Roberts:

As to the "false assumption" of advocates of commonwealth that "our economy is falling apart at the seams," let us look at the facts:

1953: Deficit of over \$1¼ million; bond issue, \$48 million.

1955: Deficit of over \$8 million; bonded indebtedness over \$53 million.

1957: Deficit of over \$4 million; bonds issued and outstanding at that time were \$87 million.

Today: Bonded indebtedness is \$94 million, and \$56 million increase authorized.

1959: Surplus is estimated for the biennial period ending in 1959 due to extraordinary expenditures of the government and the high taxes.

These figures do not include the many millions of bonds issued by the city and county and the counties.

As pointed out, the Territory's per capita tax is exceeded by only three States, while the per capita income is less than that of the average State, being exceeded by 26 States. The Hawaii sales tax is the highest in the Union and the proportion of income taken by taxes in Hawaii is exceeded by very few States.

According to Dr. Shoemaker's 1958 midyear report, governmental expenditures for 1957 constituted \$385 million out of a total of \$856 million, or approximately

45 percent of the income of the people of the Territory, instead of about one-third as mentioned in my earlier letter. This large increase in governmental expenditures was due to the huge construction program in the Territory which I am informed will be completed within the next 2 years.

With our chief industries, sugar and pineapple, showing a decrease in employment over the last few years (sugar from 44,608 to 16,791 and pineapple 15,723 to 12,986), the tourist industry alone has shown an increase; but that the tourist business is a precarious one is emphasized by a dispatch in the morning paper of September 12, which states that some 20 hotels in Miami have been put into bankruptcy by 1 bad season.

It is interesting to note by Dr. Brown's article in the Advertiser of September 14 that in 1957 Hawaii's per capita income increased only 1.9 percent over 1956, as compared with the average of 3.4 percent for the 48 States for the same period: that for the 10-year period ending in 1957 there was an increase of 31.6 percent as compared with 54.2 percent increase in the 48 States.

As showing the impossibility of attracting any great number of new industries under the present setup, I was told by a prominent resident of the Territory that the head of an eastern industry telephoned his firm intended to move one of its large plants and was considering Honolulu; when the inquirer learned the firm would not be given a site for its plant, that the cost of industrial property was \$2 to \$3 a foot, and that our tax rates were exceedingly high, he immediately lost interest in bringing the plant to Hawaii. (Incidentally, according to an advertisement in the September issue of Nation's Business, already this year 54 U.S. manufacturers have decided to open new plants in Puerto Rico and 7 new hotels are under construction, plus over 500 new industries in the 10 years preceding.)

When I became Governor in 1942, I was alarmed at the Territory's outstanding bond issue of approximately \$40 million. With the cooperation of the legislatures, we succeeded in making substantial reductions of this amount. Now the bond issue is \$94 million, with increases from year to year at a higher and higher rate of interest. In 1950 Hawaii sold bonds with a return of 1.6 percent interest, while the last 2 sales of Hawaiian bonds had interest rates of 3.75 and 3.1 percent.

From the facts given, the reader can judge for himself whether our economic situation is on a sound basis and whether we are taking adequate steps to provide jobs for our rapidly increasing population.

The professor says another "false assumption" of advocates for commonwealth is that "an incorporated Territory can be disincorporated." No such assumption was ever dreamed of. We do not consider "incorporation" involved in the power of Congress in legislating relative to Hawaii or other Territories of the United States. As heretofore stated, the term "incorporated" Territory is a conventional label devised by judges in the insular cases and added nothing to clarity of thought relative to the power of Congress over Territories. As one of the Justices said, the word appears to introduce a new element of confusion (the various insular decisions created much confusion and uncertainty as to how far the "Constitution followed the flag"), and another Justice, Mr. Justice Harlan, stated: "I am constrained to say that this idea of 'incorporation' has some occult meaning which my mind does not apprehend. It is enveloped in some mystery which I am unable to unravel." It is unfortunate Mr. Justice Harlan, a very able Justice, did not live to the present so the professor could unravel for him the mystery as to what is meant by "incorporation" of a Territory, not to mention the even more mysterious term of "disincorporation" of a Territory.

Nothing contained in the U.S. Constitution or laws gives any special status to the "incorporated" Territory, and Hawaii is given no peculiar status by the resolution of annexation which provides the Hawaiian Islands and their dependencies "are hereby annexed as a part of the Territory of the United States."

The contention that Hawaii, an incorporated Territory, is destined for statehood or promised statehood is a misstatement both of the facts and the law. The facts were thoroughly discussed in Senator Johnston's argument in the Senate and Mrs. Mellen's article in the Advertiser last year; the cases which are used in the opinion of the lawyers to sustain their contention deal with continental Territory. Several cases have stated, in substance, as did *O'Donoghue v. United States* (289 U.S. 516, 537):

"Since the Constitution provides for the admission by Congress of new States (art. IV, sec. 3, clause 1), it properly may be said that *the outlying continental public domain*, of which the United States was the proprietor, was, from the beginning, destined for admission as a State or States into the Union * * *." [Emphasis supplied.]

This outlying continental Territory was promised statehood because the Eastern States, unable to settle their respective claims to lands west of the Alleghenies, ceded these lands to the U.S. Government upon the understanding that these would be made into States. Many such cessions were made before the adoption of the Constitution.

I do not intend to discuss in detail all the cases cited in the opinion of the six lawyers. The quotations from them are all dicta and with a possible single exception the dicta do not support, even by way of analogy, the contention that Congress does not have the power to exempt from taxes an "incorporated" Territory, but statements in these cases show quite clearly the contrary. The opinion of the Deputy Attorney General, rehearsed by the six lawyers, is based almost entirely on the dictum in *Downes v. Bidwell*, the dictum which was not even in the opinion of the Court, but in that of a Justice in one of the four opinions written in that case, and was specifically repudiated in *Alaska v. Troy*. It was transmitted to the Senate by Delegate Farrington. Senator Anderson (who is not a lawyer) and Senator Cordon (no longer in the Senate), and possibly one or two statehood advocates, did suggest there might be some doubt about the power of Congress to grant Hawaii Commonwealth status. This is not surprising as the opinion reads very plausibly—except to a constitutional lawyer.

The professor cites the uniformity clause of the Constitution providing that all duties, imposts, and excises shall be uniform throughout the United States. He then states Hawaii is an incorporated Territory and an integral part of the United States and therefore Congress has no power to exempt the Territory. Unfortunately, the Constitution must be taken as a whole and its construction is not so simple as the professor would have it.

There can be no question but that for many purposes the words "United States" include not only "incorporated" Territory but unincorporated Territories, possessions, and the District of Columbia, but the general language of the Constitution is confined to the States and the provisions relative to uniformity of taxes and no preference to ports do not include Territories. There are numerous decisions to this effect; in fact, we need not go beyond the cases cited in the opinion to the chamber of commerce to show this conclusively.

The chief cases relied upon in the opinion to the chamber of commerce are *Loughborough v. Blake* and *Downes v. Bidwell*. The first case held the U.S. Government could tax the District of Columbia and did make the statement that the "American empire"—the United States—was composed of Territories and States and included the District of Columbia, but it also made the statement:

"Congress has clearly no power to exempt any State from its due share of the burden. But *this regulation is expressly confined to the States, and creates no necessity for extending the tax to the District or Territories.* * * * They, therefore, may, without violence, be understood to give a rule, when the Territories shall be taxed, *without imposing the necessity of taxing them.*" [Emphasis supplied.]

The courts have stated time and time again that the Constitution was made for the States, not Territories. In the 1848-49 Senate session, in a debate on giving territorial governments to California, Utah, and New Mexico, Senator Webster said "* * * that Congress governed the Territories independently of the Constitution and incompatibly with it; that no part of it went to a Territory but what Congress chose to send * * *." When asked if Congress could make an ex post facto law, etc. applicable to a Territory, Senator Webster replied "No" because of the limitation upon the power of Congress to pass any such acts. This will be referred to hereinafter.

Mr. Justice Brown, in *Downes v. Bidwell*, said:

"The Constitution was created by the people of the *United States*, as a union of *States*, to be governed solely by representatives of the *States*; and even the provision relied upon here, that all duties, imposts, and excises shall be uniform 'throughout the United States,' is explained by subsequent provisions of the Constitution, that 'no tax or duty shall be laid on articles exported from any *State*,' and 'no preference shall be given by any regulation of commerce or revenue to the ports of one *State* over those of another; nor shall vessels bound to or from one *State* be obliged to enter, clear or pay duties in another.' In short, the Constitution deals with *States*, their people, and their representatives."

Again, *Downes v. Bidwell* flatly states that in the early internal revenue laws (I have not checked on these laws) no provision was made for the collection of taxes in Territory not included within the boundaries of the existing States. It said:

"It would prolong this opinion unnecessarily to set forth the provisions of these acts in detail. It is sufficient to say that *Congress has or has not applied the revenue laws to the Territories, as the circumstances of each case seemed to require*, and has specifically legislated for the Territories whenever it was its intention to execute laws beyond the limits of the States. Indeed, whatever may have been the fluctuations of opinion in other bodies (and even this court has not been exempt from them), *Congress has been consistent in recognizing the difference between the States and Territories under the Constitution.*" [Emphasis supplied.]

The Professor asks why cannot Congress refund our taxes to us now and still retain us as an "incorporated" Territory. The answer is that Congress can and would retain us as a Territory since a Commonwealth is a Territory and comes under the provisions of article IV, section 3, of the Constitution. The forms of government created by Congress from time to time for governing different territorial areas have been designated by the courts with conventional labels based upon the relative power of self-government granted each. They designated areas granted little self-government as possessions, others as "incorporated" Territories (formerly organized Territories). None of these labels has been recognized by Congress except the new one called "Commonwealth" which has even greater powers of self-government than other forms of territorial government.

Not only have there been a number of decisions of the United States courts holding the Commonwealth of Puerto Rico is still a "Territory" (see cases cited in *U.S. v. Rios*, 140 F. Supp. 376), as would be a Commonwealth of Hawaii, but at a congressional hearing it was pointed out the basic power inherent in the Congress of the United States, by virtue of article IV, section 3, of the Constitution, cannot be taken away. As Chairman Joseph O'Mahoney said: "Congress has the right to make all needful rules and regulations governing the Territories. Nothing that we can do can take that power away." In a study regarding the constitutional status of Puerto Rico, Prof. David M. Helfeld said: "Though the formal title has been changed, *in constitutional theory Puerto Rico remains a Territory.*" [Emphasis supplied.]

The professor's argument, that if Congress has the power to give us Federal tax exemption and then take it away, then Congress could take away our Bill of Rights, is a most remarkable conclusion that disregards the most elementary principles of constitutional law.

Our fundamental rights are protected by inhibitions which go to the root of the power of Congress to act, at all, such as that no bill of attainder or ex post facto law, or law respecting the establishing of religion, etc., shall be passed. I might further add that the Federal Government, being one of limited powers, can claim no powers which are not granted it by the Constitution, either powers expressly granted or given by necessary implication. Therefore, many constitutional authorities hold these prohibitions in the Bill of Rights are not necessary but are put in merely as additional precautions to protect "fundamental rights."

The professor states the special committee of the chamber of commerce is equipped to interpret decisions of the courts. I have so much respect for the learning and ability of these lawyers that I do not believe any one of them made any extended research regarding the cases cited in the brief of the Assistant Attorney General. Their claim that the word "State" in *Alaska v. Troy*, as used in the clause forbidding discrimination of the ports of any State, is distinguishable from the words "United States" in the clause requiring uniformity of taxation, is clearly shown to be erroneous both by the statement in *Downes v. Bidwell* heretofore cited, and the decision in *Knowlton v. Moore*, 178 U.S. 41, at page 105. This latter case points out that the two clauses originally formed part of one clause and were separated in arranging the Constitution for style only, saying:

"Thus, it came to pass that although the provisions as to preference between ports and that regarding uniformity of duties, imports, and excises were *one in purpose, one in their adoption*, they became separated only in arranging the Constitution for the purpose of style." [Emphasis supplied.]

In contrast to the opinion to the chamber of commerce we have the opinion of the most noted lawyers in the Senate of the United States, some of them former judges and at least one of them a former teacher of constitutional law, and of the several compilation commissions to revise the statutes of Hawaii (1925, 1935, 1945, and 1955), as well as a number of decisions that show beyond

question Congress may exempt a Territory from Federal taxes. In 1925 the Compilation Commission consisted of E. C. Peters, W. F. Frear, and A. F. Judd. In the note to the Revised Laws of 1925, to section 5 of the Organic Act dealing with the Constitution, the statement is made:

"* * * the legislative power of Congress over a Territory, whether exercised directly or through a Territorial legislature, is often said to be plenary, *and is not limited by such specific provisions as the apportionment clause in respect of direct taxation and the uniformity clause in respect of indirect taxation, which control legislation for national purposes* * * *." [Emphasis supplied.]

The Compilation Commissions of 1935 and 1945, as well as that of 1955, repeated this note. Chief Justice A. G. M. Robertson and Associate Justice Cristy were members of the 1935 and 1945 commissions. I do not need to point out to the people of this Territory the distinguished record and standing of the three Chief Justices (Frear, Robertson, and Peters) and of Associate Justice Cristy. I doubt if any dozen lawyers have participated in cases involving so many constitutional questions as have these men—either as attorneys or judges. Judge Frear was a member of the bench at the time of annexation; Judge Robertson became Chief Justice not very long after annexation; Chief Justice Peters arrived in the Territory at the time of annexation and became Attorney General soon thereafter.

In addition to the decision in *Alaska v. Troy* that Congress may discriminate against the ports of Alaska, an "incorporated" Territory, we have the decision of *Ewa Plantation Co. v. Wallace* holding that Congress has the power to limit imports of sugar from Hawaii; it said:

"Under the territorial power of the Constitution (article IV, section 3, clause 2), Congress may discriminate commercially against the Territory of Hawaii as a whole even though it is an organized Territory."

That Congress may discriminate in favor of, as well as against, Territories see *Porto Rico Coal Co. v. Edwards*, 275 Fed. 104, 105, upholding the exemption of Puerto Rico from Federal taxes, "as the example at bar is of a *Territory having no share in the Government of the United States*." [Emphasis supplied.]

In *Neuss, Hesslein & Co. v. Edwards*, 30 F. (2d) 620, 622, Justice Learned Hand, an outstanding member of the Federal bench, stated:

"As a purely fiscal policy *there can be no doubt that Congress may prefer the Territories*, imposing the resulting burdens on the States at large * * * for the preference granted is to a *community which has no voice in the result* * * *." [Emphasis supplied.]

This exemption is not based upon the principle of the poverty of Puerto Rico, but upon the principle upon which the Revolution was fought: No taxation without representation.

I am considerably surprised and I dislike to comment upon the tactics of Professor Roberts in quoting from a letter of mine out of context so as to entirely change its meaning. He quotes that portion of a letter and emphasizes the statement "I hope you will *block it* [statehood] for this session." (The emphasis was made by Professor Roberts.) He implies my only object was to block statehood and not to obtain commonwealth. My letter to Senator Malone enclosed several articles which had been published in the Honolulu Advertiser regarding commonwealth. Thereafter the statement was made that "The reaction has been very favorable according to the oral comments and letters I have received. The editor of the Advertiser gives me a similar report. I believe if the people of the Territory knew something about the advantages of commonwealth they would overwhelmingly favor the same." I then made the statements which were quoted by the professor. I continued: "I believe that by another year if we can get the people informed of the great advantages of commonwealth they will favor it by a large majority." Who, now, is using chicanery—the proponents of commonwealth or the fanatical fighters for statehood? These tactics, of course, are in line with the methods practiced for many years in Hawaii by ardent proponents of statehood who feel, rather than think, on statehood and question the integrity and good faith of any who oppose them, and who use pressure for statehood endorsement upon every group in the Territory from the chamber of commerce to the schools, from the prohibition groups to the bartenders' union.

Personally I need no subterfuge to oppose statehood. I opposed it openly when I went to Washington as requested by the chairman of a Senate committee to testify on the subject, and I may add that in my several appearances before the committee every member attended which the chairman informed me

seldom occurred. I still oppose it, not only on the ground our economic development requires a commonwealth-type government so the Territory can offer inducements to new industries to supply jobs for our rapidly increasing population and decreasing jobs but, further, because the communist menace is real. If Hawaii were made a State it would not, as asserted by statehood advocates, be in a better position to control communism, but quite the contrary. *Pennsylvania v. Nelson*, 350 U.S. 497, holds that the Smith Act, which prohibits the knowing advocacy of the overthrow of the Government of the United States by force and violence, is so pervasive as to make reasonable the inference that the Congress left no room for the State to supplement it, and the Federal Act precludes the enforcement of State laws on the same subject. On the other hand, as long as Hawaii remains a Territory, Congress has plenary control and if the Communist menace should become too great the Congress could alter the Territorial form of government in such manner as might afford protection against the Communists. If necessity required drastic action, it might even give us a commission form of government which we barely escaped at the time of the Massie case.

Finally, if Congress can discriminate against Hawaii as it has, and can discriminate in favor of a Territory (Puerto Rico) by exemption from Federal taxes because as a Territory it has no share in the Government of the United States, but Congress cannot discriminate in favor of Hawaii by exempting it from Federal taxes (Hawaii also being a Territory and having no share in the Government of the United States), then in the words of Mr. Bumble, "the law is a ass—a idiot." However, I do not agree with Mr. Bumble but with the opinion of Mr. Justice Learned Hand that:

"As a purely fiscal policy there can be no doubt that Congress may prefer the Territories, imposing the resulting burdens on the States at large * * * for the preference granted is to a community which has no voice in the result * * *."

Respectfully,

INGRAM M. STAINBACK.

[From the Honolulu Advertiser, Sept. 11, 1958]

ROBERTS REPLIES TO SENATOR OLIN JOHNSTON'S COMMONWEALTH LETTER

EDITOR, THE ADVERTISER: A letter to the editor by Senator Johnston of South Carolina taking issue with one of my articles on Commonwealth has just been called to my attention. We are delighted to have him join in the local discussion on Commonwealth and to have him share his observations.

The Senator raises five points which we feel should be answered.

1. The Senator says he knows of "no lawyer in the Senate who has questioned the right and power of Congress to set up for Hawaii a new type of government and call it Commonwealth."

The U.S. Senate discussed the Commonwealth issue in 1954 and 1958. The proposal was defeated both times; by a vote of 60-24 in 1954 and 50-29 in 1958. There were numerous lawyers among the 50-60 Senators who voted against Commonwealth. The reasons for voting were not all expressed.

Senator Guy Gordon, then chairman of the Senate Subcommittee on Territories, and listed as a lawyer in Who's Who and the Congressional Directory, questioned the power of Congress to change Hawaii's status, except toward statehood. He said in part:

"I believe that the amendment (Monroney Commonwealth amendment) sets up an impossible proposition so far as these two Territories are concerned. I believe there is very grave doubt whether, constitutionally, the status which is proposed can be accorded.

"There is still another very grave question, constitutionally, that is, whether, once the status of an incorporated Territory has been created, it is possible for the Congress of the United States to change it, except to raise the status to that of statehood" (Congressional Record, p. 4077).

2. The Senator says that the Supreme Court cases cited in "the report," by "groups supporting statehood," were "unadulterated dicta."

I am not sure I know what the Senator means by "unadulterated dicta." The exact issue on whether Congress can exempt Hawaii from Federal taxes can't come before the Supreme Court until the Congress legislates and the issue comes to the Supreme Court for review. In that sense a review of decisions of the Supreme Court are dicta. The real issue is whether the line of cases

involving the same basic questions provide a more realistic guide to what the Supreme Court is likely to do.

The special committee of the chamber of commerce recently examined the court cases involved in the Commonwealth debate. Attorneys Arthur G. Smith, C. Nils Tavares, Wilfred C. Tsukiyama, J. Garner Anthony, William B. Stephenson, and Walter Chuck are equipped to interpret the decisions of the Court on the issue. (See also the legal memorandum on pp. 3831-3833 of the Congressional Record, March 30, 1954.)

3. The Senator says that Congress has the power to change Hawaii into a Commonwealth.

We disagree. We have already noted that the majority of the Senate considered this point and defeated the Commonwealth amendments.

If for the sake of argument, we agree with the Senator that the Congress has plenary authority over Territories (including incorporated Territories) what is to prevent the Congress from taking away our citizenship and making us "independent"? Senator Knowland expressed this fear during the debate on Commonwealth when he said:

"The argument which has been made today relative to the Commonwealth status, it seems to me, would apply only if we were determined that neither of these great Territories should be admitted as States of the Union and that we, instead, were going to set them upon a course toward ultimate independence as independent nations."

If we are at the mercy of Congress and if Congress has the right to change the compact entered into between the United States and the people of Hawaii and make us a Commonwealth or set us adrift as an independent nation, why can't Congress refund our taxes to us now and still retain us as an incorporated Territory?

4. The Senator says that Congress has the power to exempt Hawaii from Federal taxation.

We disagree. The uniformity clause of the Constitution provides in part that " * * * all duties, imposts, and excises shall be uniform throughout the United States." Hawaii is an integral part of the United States, an organized Territory incorporated into the United States. (See Congressional Record and cases on p. 3832.)

The special committee of the Honolulu Chamber of Commerce found:

"The * * * proposition that an incorporated Territory may be exempt from such taxes elsewhere imposed is without legal justification, since an incorporated Territory is a part of the United States within the meaning of the uniformity clause. This is borne out by the cases of *Binns v. United States* (194 U.S. 486), and *Wynn-Johnson v. Shoun* (194 U.S. 496), where the Supreme Court upheld certain license taxes which Congress had imposed on business in Alaska for the purpose of raising revenue for the administration of the government of Alaska, on the ground that they were local taxes levied under article IV, section 3, clause 2, the Court at the same time recognizing that if they had been general taxes levied under article I, section 8, clause 1, the uniformity clause would apply. To the same effect is *Alaska v. Troy* (258 U.S. 101), where the Court distinguished between the regulation of commerce (Merchant Marine Act of June 5, 1920) and taxes levied under section 8 of the Constitution, holding that the regulation of commerce is not governed by the uniformity clause and hence is not subject, so far as Alaska is concerned, to the uniformity clause of section 8."

I believe that the people of South Carolina if offered Commonwealth and Federal tax exemption would turn it down as an insult. We feel the same way about it. We in Hawaii with a personal per capita income in 1957 of \$1,821 have less right to claim remission of Federal taxes than the people of South Carolina with a personal net income in 1957 of only \$1,180.

We want membership in the Union of States on an equal footing with all of the rights (representation in the Senate and House, the right to vote for the President, etc.) and obligations, including the payment of Federal taxes. This is a privilege which American citizens should cherish, not try to avoid.

5. The Senator says that "after such change (to Commonwealth) Hawaii would still be 'Territory' of the United States and subject to the power of Congress to make changes."

If we agree with the Senator that Congress has the power to change us "from" and "to" anything, to give us "Federal tax exemption" and to take it away, then the Senator has made the strongest argument for statehood that I know. Can the Congress take away our Bill of Rights?

The press has reported that the Senator opposed statehood but that "as of now my mind is open." We hope that after getting to know Hawaii, its institutions and people better he will see his way clear to support us in the next Congress in our legitimate claims for statehood.

Our opposition to Commonwealth is based among other things on its "intangible" status, its deviation from the traditional American road from Territorial status to statehood, and the untenable "tin-cup" approach of a reasonably prosperous community seeking Federal tax exemption.

HAROLD S. ROBERTS.

SEPTEMBER 7, 1958.

EDITOR'S NOTE.—Dr. Roberts is dean of the College of Business Administration, and was a delegate to the 1950 Hawaii Constitutional Convention.

BERRYVILLE, VA., February 25, 1959.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Senate Office Building,
Washington, D.C.

GENTLEMEN: I wish to go on record as being completely opposed to the admission of Hawaii as a State of these United States. It has been proven time and time again, and particularly in hearings before the Senate Internal Security Subcommittee last year that if Hawaii were to become a State, we would have Senators and Representatives from there who would be Communist controlled.

It was also shown in those hearings that anti-Communists in Hawaii are opposed to Hawaii's becoming a State for that same reason. These anti-Communists are trying to clean house in that Territory.

It is also common knowledge that Harry Bridges, the Communist, controls Hawaii just as if he were dictator.

I ask that this letter be made a part of the hearings and that you send me a copy of the hearings on this subject when they are printed.

Yours very truly,

ELIZABETH H. OSTH.
(Mrs. Robert E.)

THE U.S. FLAG COMMITTEE,
Jackson Heights, N.Y., February 22, 1959.

Senator JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, New Senate Office Building, Washington, D.C.

DEAR SENATOR MURRAY: We are opposed to S. 50, a bill for statehood for Hawaii.

After considering pros and cons, we find nothing to justify making Hawaii a State, but many sound reasons for not doing so.

Sincerely,

GRACE MURRAY, Secretary.

WASHINGTON, D.C., February 25, 1959.

HON. HENRY M. JACKSON,
Chairman, Interior Senate Subcommittee,
Senate Office Building, Washington, D.C.

MY DEAR MR. SENATOR: For many years I have been an active volunteer in patriotic work, through the American Coalition of Patriotic Societies and two of its affiliates.

All patriots of my acquaintance are gravely concerned over the thought, even, of granting statehood to Hawaii, objections for which have been so well and correctly expressed by Senator Ellender and Congressman Pillion.

I herewith ask that my strong objections be made part of the record of the hearings on the subject, to be held February 25 and 26, before your Interior Senate subcommittee.

Most respectfully,

ESTHER LINKINS.

RESOLUTION OF THE CITIZEN FORUM OF COLUMBIA HEIGHTS IN OPPOSITION TO
STATEHOOD FOR HAWAII

Whereas Hawaii is an island 3,000 miles across the Pacific from the 49 States of our Union, and

Whereas her population is 77 percent alien, consisting of Asiatics, Chinese, Japanese, and other nonwhites, with less than 14 percent Caucasian, probably including our military, their families, and Government U.S. employees, and

Whereas it is a well known fact that there are a large number of Communists in Hawaii and statehood will be of great benefit to them, besides providing one of the greatest dangers to the citizens of our Union, and that danger is the migration of Hawaiians into the United States, and

Whereas if granted statehood, nothing our Nation can do hereafter can stop the migration of Hawaiians into any one of our States from that time forth—we do not want an oriental island State in our Union: Therefore, be it

Resolved, by the Citizen Forum of Columbia Heights, in regular meeting assembled this 21st day of February 1959, That we strenuously object to the admission of Hawaii as one of our States for the reasons hereinbefore set forth, and urge both Senate and House to deny her statehood; and be it further

Resolved, That a copy of this resolution be immediately sent to the President of the United States, the Vice President, every Member of Congress and made a part of the hearings scheduled in both Senate and House.

WHEATON, ILL., February 18, 1959.

MY DEAR SENATOR MURRAY: Knowing that the bill for Hawaiian statehood will be soon under consideration, I have been reading the hearings of 2 or 4 years ago, which you will of course consider.

I urge you to consider the final decision of that committee and keep the bill in committee for these reasons which you know:

1. Population 77 percent oriental.
2. The unbalance of representatives.
3. Communist domination by ILWU (this would hand two Communists to the Senate).
4. Location; as far from mainland as London is away (impossible for absorption into Union).
5. Scattered units; 10 to 12 small islands, only 7 of which are inhabited (majority in one city).

6. No industries; largest income from tourists.

7. What could the islands give to the Union? What advantages?

As a Territory it serves as a military base but as a State, it could not, except, with consent of Hawaii Legislature.

Harry Bridges is already on record before committee, as saying in case of war he would support Russia (Independent American, on air, Feb. 10, 1959).

We pray that your committee will support America.

BERTHA R. PALMER.

HEWITT, N.J., February 25, 1959.

HON. JAMES E. MURRAY,
Chairman, Interior and Insular Affairs Committee, U.S. Senate, Washington,
D.C.

DEAR SENATOR MURRAY: Please have the annexed memorandum, entitled "The Territory of Hawaii should not be admitted into the Union of the United States of America" filed at once with the U.S. Senate committee that is presently considering the admission of the Territory of Hawaii, outside of America, into the Union of the United States of America, with a request that it be entered into its records to the end that all may consider the propositions contained in the memorandum.

Thanking you, I am,

Sincerely,

WILLARD L. DE YOE.

MEMORANDUM

Subject: The Territory of Hawaii should not be admitted into the Union of the United States of America.

The Territory of Hawaii is in an area of the world, which some have called Oceania. It is not in America. The fact that it is not in America makes its admission a threat to the safety and welfare of our Nation. For that admission would bring about a change in our foreign policy, which could not be changed thereafter. This is the change, which such admission would cause:

1. At last our Nation would be dedicated to a world-expansion policy. We would step out of America and into the wide, wide world. How then could we criticize communistic Russia or China for their common doctrine of world expansion? Should our diplomats then chide the communistic states for world expansion, they would be scorned as hypocrites!

2. The Monroe Doctrine is a safety measure for the United States of America. If our Nation expands beyond America into other areas of the world, how can our diplomats successfully contend that other nations should not expand in South America? We know that the Communists attempt to exercise influence in the nations in America, south of the United States of America, and would like to obtain control of some of them, if not all. Our Nation must set an example in nonexpansion in the world beyond America, or become weak in our world influence. Here is a situation for the application of the Golden Rule.

3. Immediately upon the admission of the Territory of Hawaii into the Union of the United States of America, there would commence an insidious deterioration of inter-American solidarity, which was so forcefully proclaimed in the famous Declaration of Lima in the year of 1938. How can there be a vigorous inter-American solidarity, should the United States of America expand beyond America? The State of Hawaii would be a perfect catalytic to destroy such solidarity. For, with the State of Hawaii in the Union, a force would be added in the determination of our Nation's policy, which would come from beyond America.

4. Many of our Nation's friends and allies, especially those among the so-called free nations, and those, which are choosing between the way of the Communists and ours, will surely be alarmed at our new, irrevocable policy of world expansion, should a State, outside of America, be admitted into the Union of the United States of America. It seems almost certain that, should such admission be effected, tumult because of distrust of and propaganda causing such distrust of our Nation will run rife throughout the globe. And the action of admission will speak more effectively than and more loudly than all the words that our diplomats may utter in an endeavor—futilely—to minimize a certain beginning of world expansion on the part of our Nation.

5. There is a constitutional question for the United States of America in the admission of the Territory of Hawaii into the Union. Please turn to the Constitution of 1787 of our Nation. While the name "United States" is used throughout the document, yet, where the Union is last named, just before the subscription, it is called the United States of America. Thus the opinion is justified that the last name, at the end of the document, controls, for that is in line with the rule in law concerning the legal interpretation of documents. Furthermore in the Declaration of Independence (still valid, we hope and trust), in the Articles of Confederation, and in the loyalty oaths, taken pursuant to a resolution of the Congress adopted in February of 1778, our Nation is definitely and positively named "the United States of America." It would, therefore, appear that the admission of the Territory of Hawaii, located in Oceania or in the Far Pacific, beyond the shores and continent of America (North and South), would be contrary to the intention of the present Constitution of 1787, and be unconstitutional and, consequently, illegal. That should be obvious to all, except those, who persist in calling green "pink." A State should not be admitted to the Union of the United States of America, where the validity of such admission could be questioned justifiably, as in the matter of the admission of the Territory of Hawaii. It would be poor policy, indeed, to expect that the Supreme Court of the United States of America make legal, that which is truly illegal.

Respectfully submitted.

WILLARD L. DEYOE.

STATEMENT OF WILLIS A. CARTO, SECRETARY, LIBERTY LOBBY, SAN FRANCISCO, CALIF., IN OPPOSITION TO HAWAIIAN ADMISSION

When the income tax (16th) amendment was passed, its promoters solemnly promised that it would never take more than 2 or 3 percent of the income of any taxpayer. However, a precedent had been established with its passage. That precedent was that it became possible for Congress, by majority vote, to confiscate up to 100 percent of a man's income if it desired to do so. Forty-six years later we realize this truth. Few realized it in 1913. A prophet then would have been ridiculed.

The admission of Hawaii would establish another precedent. This precedent would be that land or islands unconnected with the American Continent and inhabited by people of radically differing backgrounds from the majority of Americans are eligible to become a State.

Gentlemen, this is a road with no ending. This is the road to world government. It is the highway through the gradual watering down of the idea of American nationality and nationhood to a meaningless, characterless, cosmopolitan universality. It is a violence to American sovereignty. It is suicide.

There is a question which American statesmen must come to grips with before it is too late. After Hawaii, what? Puerto Rico? Panama? Guam? The Virgin Islands? Why not, then, Ghana? Or San Marino? Reasons can be found for the admission of all of these. What is the point at which we stop?

Many of the people of these countries desire to become an American State. The Governor of Puerto Rico, Luis Muñoz-Marin, does. Immediately after Congress passed Alaskan admittance, he wired to the Governor of Alaska:

"My sincerest congratulations to the Alaskan people for this victory in getting statehood through the principle of self-determination. The people of the Commonwealth of Puerto Rico, who also benefited from this principle, wish the people of Alaska lots of happiness in their new status."

Governor Marin apparently is not only in favor of statehood for Puerto Rico but he believes that it is a matter of right if it is desired by the people of Puerto Rico.

The admission of a new State is a serious matter. It is not properly a matter of emotion nor of wishful thinking. Nor is it a matter of "earning," for statehood is not a reward, to be presented as a proud parent would give an all-day sucker to a well-behaved child.

Admission must always be a matter of principle. This principle is that the issue requires calm deliberation in the light of national interest. There can be no other approach to the matter without disaster. Statesmen must calmly decide that admission of an area is in the national interest or opposed to it, and this is the sole criterion. Only national interest is concerned. This and nothing else.

Hawaiian statehood clearly has nothing to recommend it as far as this Nation's interests are concerned and each and every argument brought forth for it is specious when viewed in the clear light of national interest.

For instance, one of the arguments is that admission is necessary for national security. This is an obvious fiction. The same was said for Alaska, but after Congress favored Alaska the Washington magazine, U.S. News & World Report, revealed that opposition from high military officials was one of the factors which had slowed down its march through Congress. Now one does not need to be a military genius to perceive that a territory is much easier controlled in the event of national emergency than is a sovereign state.

Another argument is that the step of statehood has been promised by the officials of two political parties. But, gentlemen, only Congress can promise the will of the Nation, and Congress has made no promise. It is only in totalitarian states, like Communist Russia or Nazi Germany, that a political party can make promises in the name of the government.

In addition to the question of national interest there is a very important constitutional issue involved. Admission of Hawaii, to be legal, would clearly require an amendment to the Constitution, without which Congress would be acting devoid of its constitutional power to so act, and admission would be null and void. Let me read the appropriate portion of the Constitution, the preamble:

"We the People of the United States, in Order to form a more perfect Union, establish justice, insure domestic Tranquillity, provide for the common defense, promote the General Welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

This is where we derive the name of our country, and the name is the "United States of America."

The 20 volcanic islands in the North Pacific Ocean making up Hawaii are not part of the American Continent. This is a geographical fact.

To properly admit Hawaii would require a constitutional amendment changing the name of this Nation to, perhaps, the "United States of America and the North Pacific Ocean," or to the "United States of Anywhere." The latter would probably be preferable because we could then retain the initials "U.S.A."

We are in danger of making a cataclysmic turn in American history. We are at the point where we may remain a Republic with clearly defined boundaries or soon become a meaningless conglomeration, an "empire" if you like the term, with our boundaries and our voting electorate changing with the whims of pressure groups and the cast of fortune.

I do not begrudge Hawaiians the right to petition for admission. It is their right to do so and I, as a citizen of the Nation they admire, am flattered at their high opinion of my country. But I protest at the insane hysteria which has been excited in Congress by the lobbyists who are promoting this for their own selfish ends. This hysteria is a totally artificial thing, uncondusive to calm discussion and inimical to the best interests of the country. Is Congress really going to capitulate so easily to the wiles of the professional pressure artists and the venality of tawdry political "deals"? What has happened to statesmanship?

A certain Senator's legislative assistant—a very capable gentleman—has protested at my accusation that lobbyists have whipped up this hysteria. He has said that he doubts if there are any such lobbyists. I prefer to believe differently. I find it impossible to believe that this mysterious clamor for admission—a step obviously detrimental to our long-range interests—is spontaneous. I have more respect for the collective intelligence of Congress than to believe otherwise.

In spite of the fact that Hawaiian admission has been before Congress for 19 years, I submit that the discussion of this grave step has heretofore always been in the realm of partisan politics or idle chatter about the imagined wishes or welfare of the Hawaiians and never—repeat, never—in the realm of true national interest. This is why I doubt if all of the honorable Senators have had the opportunity to understand the import of the step.

I pray that the honorable Senators will allow themselves to stand away from the hurly-burly of partisan politics long enough to perceive the true road ahead—the one leading safely through the tempest of pressure and misinformation which blows so loudly around them. I address my plea to those lonely men—those statesmen who are able to stand against the wind when they see it blowing in a perverse direction.

AMERICAN LEGION,
PERROTTET-NICKERSON POST No. 76,
Wheaton, Ill., February 24, 1959.

HON. JAMES E. MURRAY,
Washington, D.C.

SIR: We are absolutely opposed to the admission of Hawaii or any other group to our U.S. citizenship that are located far from our mainland.

Other objections to the admission of Hawaii as a State, are:

- (1) Its manner of life is far different, as a whole, to that of ours.
- (2) A vast proportion of its inhabitants are communistic or favorable thereto,
- (3) Hawaii is dominated by arbitrary unionism.
- (4) Hawaii is Celestial in origin. While it is proper to admit Celestials in small numbers at a time to citizenship, we cannot expect to absorb them in great masses, particularly when they are so far from our mainland.
- (5) Protection of Hawaii would add a large cost to our country and lead to much "entanglement."

Let's covet and keep our Constitution strong. This applies to all citizens including our apparently weak Supreme Court.

Respectfully yours,

EDWARD J. KUNZE,
Past Commander.

4 WEST 43D STREET, NEW YORK, N.Y.,
February 24, 1959.

Senator HENRY M. JACKSON,

Chairman, Subcommittee on Territories, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR SIR: This statement is submitted for inclusion in the record of hearings concerning statehood for Hawaii—in opposition to granting statehood.

I speak solely as an individual citizen; as a native of the United States, a long-time member of the New York Bar; as a veteran of both World Wars (major, Air Force, World War II); as a writer and lecturer on public affairs—especially concerning the field of constitutional law and American history, in relation to traditional principles underlying domestic and foreign affairs, and national defense.

This statement will be confined to a single main point, that now is the time to establish the principle and precedent against inclusion in the Union, as a State, of any island area or any other area off the Continent of North America, as the only sure way of avoiding the quicksand trap of geographic imperialism.

This term "geographic imperialism" is used to denote that aspect or type of imperialism which involves an open-end policy of expansion through inclusion of any and all Territories which may from time to time seem desirable as units in the homeland's political structure—in this case as States. History would seem to teach that such a policy, put into practice, is one way by which a strong, cohesive, unified nation can easily undermine the foundations of its enduring quality to its ultimate doom. This is all the more important for the people and their public servants, including the Congress, to consider at this time—now that the United States is deeply mired in global militarism-imperialism on an ever-expanding scale in violation of all traditional American principles, in conflict with the genuine needs of sound national defense (including New World defense), and in defiance of the requirements of a sound national picture from every standpoint including that of constitutionally limited government under a stable Constitution respected in practice as the foundation of rule by law.

It is noteworthy that Soviet Russia, practicing ruthless imperialism—in part through the agency of its international conspiracy (the Communist Party) seeking to overthrow all non-Communist governments, including ours—in pursuit of the Communist goal of world rule by the Kremlin, is carefully avoiding this very trap, which has wrecked past imperialistic systems: open-end political expansion. This factor alone promises to contribute substantially to the long life of the Kremlin's dominance over a continental (Eurasian) empire of heretofore undreamed of size, backed as it is by military might of comparable significance. Therein lies the hideous meaning of today's reality: Russia over Eurasia and vicinity, in military potential, under the evil genius of the Kremlin's brutalitarians, as the Russo-American era begins.

Hawaii can no longer be counted a reliable defense asset of the United States, capable of enduring in war, because Russia's rocket-firing submarines can obliterate Hawaii in the first hour of conflict and it is impossible to prevent this. Hawaii, like all island areas (including most notably Great Britain), is completely indefensible, an adequate defense cannot be conceived—not to mention Russia's long-range rockets, or those from east Siberia, 3,000 miles distant. This eliminates any argument that Hawaiian statehood can benefit homeland defense in war.

The very apathy of the American people in the face of America's palpably disintegrating body of traditions and principles, in foreign as in domestic affairs (chief of all apathy toward the rampant and wholesale usurpation of power by all three branches of the Federal Government every year since 1933 as to Presidents and Congress and since 1937 for the Supreme Court) is one warning sign that the only sure way to avoid the above mentioned trap is to stop now the first step toward overexpansion of the homeland's political structure: deny Hawaii statehood. It is recommended that this be done.

HAMILTON A. LONG.

WHEATON, ILL., February 24, 1959.

Hon. JAMES E. MURRAY,
Chairman, Interior and Insular Affairs.

MY DEAR SENATOR MURRAY: It is my understanding that the Hawaii statehood bill will be voted on this week, or very soon. For the following reasons it is my hope that it will be defeated:

(1) The Hawaiian economy is dominated by Harry Bridges and his Longshoremen's Union.

(2) The population is more that 75 percent oriental. What can most orientals know of self-government?

Could not the Senators elected under such conditions be extremely liberal, if not out-and-out Communists?

Respectfully,

(Mrs. E. P.) RUBY C. MILLER.

APPENDIX C

(COMMITTEE NOTE.—The committee deems it inadvisable to attempt to reprint all of the communications it received in support of statehood. The following are set forth as being typical examples:)

WESTERN STATES DEMOCRATIC CONFERENCE,
COMMITTEE FOR ADMISSION OF HAWAII TO THE UNION IN 1959,
SAN FRANCISCO, CALIF., *February 27, 1959.*

Hon. JAMES E. MURRAY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURRAY: Cal Rawlings, chairman of the Western States Democratic Conference, appointed me and Marguerite Peyton Thompson cochairman of a committee to do our best to see that the 12 Western States present a strong and unified front in favor of Hawaiian statehood this year.

I know that nearly all, if not all, of the western Democratic Congressmen and Senators favor Hawaiian statehood, but if it isn't too much trouble we would appreciate it ever so much if you would drop us a line advising of your feeling on the subject.

The first step we have taken was to try and get resolutions out of every legislature in the 12 Western States and I enclose a progress report.

Best wishes and many thanks for your cooperation.

Sincerely yours,

ROGER KENT,
Vice Chairman.

FEBRUARY 26, 1959.

MEMORANDUM ON PROGRESS IN THE TWELVE WESTERN STATES FOR HAWAIIAN STATEHOOD

I have just returned from a short business trip to Hawaii and the people are tremendously excited about the prospect of statehood and there would be the most distressing letdown if statehood is not achieved this year.

Naturally both houses of the legislature in Hawaii have memorialized Congress to admit them this year.

The following action has been taken in other Western States.

1. The first memorial resolution ever passed by both houses of the State of Alaska (House Joint Memorial No. 1) urges Congress to admit Hawaii "to the Union on an equal footing with the other States." It was passed by the house February 2, 1959, and by the senate February 7, 1959. I am delighted to report that the author was one of our faithful members Helen Fisher who is a member of the Alaskan House of Representatives.

2. California: The California Assembly passed a resolution on January 12 urging Congress to grant statehood to Hawaii. Senator Fred Farr is handling a similar resolution in the senate and will have it passed soon.

3. Oregon: David Epps reports unanimous passage of a similar resolution by the Oregon Senate February 11 and by the house on February 13.

4. Idaho: Mrs. Bert Miller advises that Mr. John Walters, State chairman will "proceed with the State affairs committee to see that a resolution is prepared and presented before the adjournment of the legislature March 5." She anticipates that it will be passed without a problem.

5. Nevada: Bill Woodburn, national committeeman, has requested a member of the assembly to introduce a resolution and I have written asking him to follow up with the Nevada Senate (which at the present time is apparently preoc-

cupied with attempting to annex a considerable portion of the State of California.)

Please let me hear from the other States and progress being made in the States mentioned above which have not as yet taken final action.

Sincerely yours,

ROGER KENT.

STATEMENT OF GEORGE D. RILEY, AFL-CIO LEGISLATIVE REPRESENTATIVE, IN
SUPPORT OF S. 50 AND RELATED BILLS FOR HAWAIIAN STATEHOOD

The AFL-CIO continues to support the proposition of statehood for Hawaii which legislation now has been reported by the House committee, such action to be effective this year.

There are few new arguments for or against Hawaiian statehood. There has been little change since this committee last considered such bills, except that now there is the additional impetus for definitive action in view of the admittance of Alaska as a full-fledged member of the family of States.

Hawaii definitely appears to be qualified under the respective requirements to attain statehood (1) that the Territory must demonstrate its resources and population are sufficient to meet the cost of State government, and (2) the people of the Territory must give evidence of wish to acquire complete citizenship through statehood.

People all over the globe, wherever to be found, have demonstrated considerable urge for cutting the ties to unpleasant memories of colonialism which can be classified as a hedge against full citizenship. A Mediterranean island has just now been granted complete freedom. The populations of the captive satellites states of Eastern Europe though beaten down still wish for the return of their liberties and autonomy. Even the Kurds seeking full identity through a government of their own are getting recognition in a degree. This process is going on over all the world. In Africa. It happened in Asia. The creation of independent states and the change will continue.

Hawaiian statehood is going to take place and it has remained unfinished business for years in the Congress.

There is little to add to the arguments which have been set forth previously. We merely ask that S. 50 be reported without material change at the earliest date possible.

STATE OF MONTANA,
OFFICE OF THE SECRETARY OF STATE,
Helena, Mont., February 9, 1959.

HON. JAMES E. MURRAY,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR MURRAY: In accordance with the mandate of the 36th legislative assembly of the State of Montana, I attach for your information and such action as you may deem necessary, a certified copy of House Joint Resolution No. 1.

Yours respectfully,

FRANK MURRAY,
Secretary of State.

MONTANA HOUSE JOINT RESOLUTION No. 1

A joint resolution of the house and senate of the State of Montana to the President of the United States, Dwight D. Eisenhower; to the Congress of the United States; to the Senate Interior and Insular Affairs Committee; to Senators James E. Murray and Mike Mansfield; to Congressmen Lee Metcalf and Leroy Anderson; and to the Hawaii Delegation in the United States Congress and the Governor of the Territory of Hawaii; requesting the President and Congress of the United States to do what may be necessary to give full statehood to the Territory of Hawaii.

Whereas the legislature of Montana is aware of the unfairness with which the Territory of Hawaii has been treated in its appeal for statehood; and

Whereas the legislature of Montana is aware of the great contributions that the Territory of Hawaii has made to the welfare of the United States, and

believing that such contributions could be vastly accelerated by statehood; and

Whereas the platforms of both major political parties have and do advocate statehood for Hawaii; and

Whereas the President of the United States has advocated statehood for Hawaii in speeches, and before his inauguration; and

Whereas the growth and prosperity of the Territory of Hawaii, and the people of Hawaii are seriously handicapped by the Territorial status that now exists; and

Whereas the Territory of Hawaii, and the people of that territory have now reached a stalemate in their development that cannot be overcome until statehood is granted; and

Whereas it is to the future benefit of the United States of America to accelerate the development of the vast potential that is Hawaii: Now, therefore, be it

Resolved, That the legislature of the State of Montana, both house and senate concurring, do petition the President and the Congress of the United States to jointly do that which is necessary to immediately give full statehood to the Territory of Hawaii; and be it further

Resolved, That copies of this resolution be submitted by the secretary of state of the State of Montana to each of the individuals and to the chairman of the committee named in the title of this resolution, and also to the presiding officers of both Houses of the Congress of the United States.

JOHN J. MACDONALD,
Speaker of the House.
PAUL CANNON,
President of the Senate.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH,
Harrisburg, February 17, 1959.

Hon. JOSEPH S. CLARK, Jr.
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I am writing you about a matter which has no direct connection with my position as secretary of health of Pennsylvania, but in which I have a personal interest and knowledge, having been health officer of the Territory of Hawaii from 1943 to 1953. The matter is statehood for Hawaii, which is being considered by the present Congress.

It is my feeling that Hawaii is definitely ready to become a State of the United States and is deserving of taking its position among the other 49 States. Congressional committees have investigated Hawaii's aspiration for statehood some 23 times and I believe there are over 6,000 pages of reports compiled on these investigations. I had the opportunity to personally testify before two of these investigations. If I remember correctly all of the investigations indicated that Hawaii was in state of readiness for statehood.

You will receive much testimony on this matter. I would just like to add to it that my intimate knowledge of the Territory indicates a high degree of educational, economic, and social responsibility among the people of Hawaii who, as taxpaying citizens of the United States are intimately concerned and interested in the future of the United States of America to which they are certainly as loyal as the citizens of the various States. The Health Department of Hawaii is the oldest of any of the State or Territorial health departments having been started in 1850 and being in continuous existence since that time.

I believe that the citizens of Hawaii have earned the right to statehood and that this privilege is now due to them. If necessary, I should be glad to testify as to any of the details of my knowledge of public health, government or living conditions in Hawaii.

I trust that when the matter of the decision on statehood for Hawaii is before you, you will see fit to act upon it favorably.

Sincerely yours,

C. L. WILBAR, Jr., M.D.,
Secretary of Health.

The MONTANA POWER Co.,
Butte, Mont., February 20, 1959.

Re Hawaiian statehood.

HON. JAMES E. MURRAY,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURRAY: I have had an opportunity to visit with some of my friends in Honolulu on the question of Hawaiian statehood and thought you would be interested in having me report to you the results of those conversations.

I made extensive inquiry into the question of whether these people believed that the very large Japanese population in the islands is loyal to the United States. I confess that I was fearful that we might ultimately have two Japanese Senators and several Japanese Congressmen from Hawaii. Without exception, my informants were satisfied that the Japanese citizens of the islands are loyal Americans. They used the experience in World War II and a lack of any sabotage in the extensive operations at Pearl Harbor as proof of this conclusion.

In addition, they intelligently urge that the islands are the first line of defense for this country, that they bear an enormous responsibility and should have comparable recognition by becoming a State.

I realize that you are well informed on the question of statehood for Hawaii, but by this letter I wanted to pass on to you my conclusion that Hawaii is well deserving of statehood and should receive it. In fact, I believe that Hawaii is far more entitled to statehood than Alaska, which has already been admitted, and is far better able to bear the responsibilities of statehood.

Sincerely,

JACK CORETTE,
President.

U.S. CONFERENCE OF MAYORS,
Washington, D.C., February 25, 1959.

HON. HENRY JACKSON,
Chairman, Territories and Insular Subcommittee,
Senate Committee on Interstate and Insular Affairs,
Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: On behalf of the U.S. Conference of Mayors I am pleased to urge the early enactment of S. 50, a bill to provide statehood for the Territory of Hawaii.

The U.S. Conference of Mayors is made up of more than 300 cities with population of 30,000 or more with all major metropolitan areas represented in its membership. The conference has consistently supported statehood for Hawaii and at its 1958 annual conference the following resolution was adopted:

"Whereas pursuant to an act of Congress Hawaii has been organized as a Territory in preparation for statehood for many years; and

"Whereas the Territory of Hawaii has demonstrated its ability to accept the obligations of statehood; and

"Whereas the 85th Congress approved the admission of Alaska as a State; and

"Whereas Hawaii is the only remaining organized Territory of the United States: Now, therefore, be it

"Resolved by the U.S. Conference of Mayors, That the Congress be, and it is hereby, respectfully and earnestly petitioned to give prompt and favorable consideration to legislation admitting Hawaii into the Union of States."

We are encouraged that the Congress has proceeded to the consideration of this matter early in its first session. We commend the members of your committee for taking the initiative on this question.

With best personal regards, I am

Sincerely yours,

NORRIS POULSON,
Mayor of Los Angeles, President, U.S. Conference of Mayors.

AMALGAMATED MEAT CUTTERS AND
BUTCHER WORKMEN OF NORTH AMERICA,
Chicago, Ill., February 25, 1959.

HON. HENRY M. JACKSON,
*Chairman, Subcommittee on Territories and Insular Affairs,
New Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: We should like to inform you of the complete support of the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, for S. 50, which would grant statehood to Hawaii. It is highly commendable that the subcommittee is considering this legislation in the very beginning of the 86th Congress. We hope that this speed will be maintained and that our Nation will shortly have Hawaii as its 50th State.

We recall that in convention after convention of first, the AFL, and then, the AFL-CIO, the delegates of our union have voted, together with representatives of other unions, for resolutions calling for Hawaiian statehood. Putting these resolutions into practice, the American labor movement, represented by officials of the AFL-CIO, have urged congressional committees and individual legislators to bring Hawaii into the Union as a full-fledged partner of other States. The Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, is a labor union with 350,000 members in meat markets, packinghouses and other food and allied industries in every State of the United States and in Hawaii. We want to see a strong and prosperous Hawaii, in which labor fully shares both in the work of building the area's strength and prosperity and in receiving the benefits which come from such economic development. We pledge that our union will work vigorously to achieve both these goals.

We firmly believe that the economic growth of Hawaii must be supported by the granting of statehood to the Islands. Equality with other States will provide Hawaii many important and well-deserved benefits. Getting its fair share of Federal aid for economic and social programs, now provided by legislation, is just one outstanding example of that.

Statehood for Hawaii would certainly be in the interests of our entire Nation. In terms of the United States foreign policy, defense efforts and economic growth, statehood is not only desirable, it is absolutely necessary. We firmly believe the existing States of the United States would benefit every bit as much from Hawaiian statehood as would Hawaii.

Quite frankly, we can see no reason in the world why Hawaii should not quickly become a State. The legislation which the subcommittee is considering should have been on the statute books long ago. Hawaii has more than earned the right to statehood. By any test, whatsoever, be it economic strength, size of population, extent of education or others, Hawaii has more reason to be a State than some of our long-existing ones.

On behalf of the Amalgamated Meat Cutters and Butcher Workmen of North America, we would like to join in the testimony previously presented by our parent organization, the AFL-CIO, which is the spokesman for American labor. We strongly support S. 50 and we urge it be enacted quickly so that Hawaii may speedily become our Nation's 50th State.

Very truly yours,

THOMAS J. LLOYD,
President.
PATRICK E. GORMAN,
Secretary-Treasurer.

RESOLUTION OF THE HAKALAU PARENT-TEACHERS' ASSOCIATION

Whereas the Territory of Hawaii since its annexation as an integral part of the United States in 1898 has proved itself politically, socially, and economically qualified for admittance into the sisterhood of States; and

Whereas the desire of the people of the Territory of Hawaii to achieve immediate statehood has been, and still is, the fervent aspiration of every resident of said Territory; and

Whereas the national administration and the Democratic and Republican Parties of the United States of America have repeatedly asserted their beliefs that the Territory of Hawaii is qualified for statehood; and

Whereas this association and its 177 members feel that statehood could bring much joy to our members and children: Now, therefore, be it

Resolved by the Hakalau Parent-Teachers' Association, That the 86th Congress of the United States of America be and is hereby respectfully requested to grant the Territory of Hawaii immediate statehood; and be it further

Resolved, That copies of this resolution be forwarded to the Delegate from Hawaii, the Secretary of the Interior, and the chairmen of the congressional House and Senate committees, respectively.

THE DEMOCRATIC WOMEN'S FORUM OF SAN FRANCISCO,
February 11, 1959.

Re Statehood for Hawaii.

HON. JAMES E. MURRAY,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR: As San Francisco Democrats who have a good deal of knowledge of Pacific Coast sentiment toward statehood for Hawaii, our members strongly support Senate bill No. 50, which will achieve this purpose.

Our observation of the problems of the Territory, and its capacity to solve them successfully indicate to us the readiness of Hawaii for admission to our Federal Union.

Many of our members who have traveled and studied foreign affairs extensively, believe that Hawaii's admission as a State will be an important factor in regaining international good will in the Pacific Basin.

We earnestly solicit your support of statehood for Hawaii, for the mutual advantage of the Union and the Territory, at home and abroad.

Very truly yours,

SALA BURTON,
President.

ELSA STRAIT,
Public Affairs Chairman.

MAUI COUNTY COMMITTEE FOR STATEHOOD,
Wailuku, Maui, T.H., February 17, 1959.

HON. JAMES E. MURRAY,
U.S. Senate, Washington, D. C.

SIR: Attached herewith is a copy of a resolution adopted February 11, 1959, by the Maui County Committee for Statehood for Hawaii.

We request that you give this resolution favorable consideration in this session of the Congress.

Very truly yours,

KIYOTO TSUBAKI,
Chairman.

RESOLUTION OF THE MAUI COUNTY COMMITTEE FOR STATEHOOD, WAILUKU,
MAUI, T.H.

Whereas the Territory of Hawaii has been an integral part of the United States since 1898 and has during this time admirably fulfilled the obligations and responsibilities of statehood but has been denied the rights and privileges of statehood; and

Whereas the Territory has contributed greatly to the economic and cultural life of the United States; and

Whereas the Territory is vital to the defense of the United States; and

Whereas the record of the Territory in World War II and the Korean conflict is conclusive proof of Hawaii's Americanism; and

Whereas the "Man on the Street" poll of the Princeton Research Service showed public opinion to be 83 percent in favor of statehood for Hawaii in this session of the Congress; and

Whereas congressional committees have found Hawaii ready, willing, and able to assume all the responsibilities and rights of a State; and

Whereas the President of the United States, the Department of State, Defense, and Interior and both the major political parties have endorsed statehood for Hawaii; and

Whereas the House of Representatives of the U.S. Congress passed Hawaii statehood bills in 1947, 1950, 1953, and the Senate passed the combined Hawaii-Alaska enabling act in 1954: Now, therefore, be it

Resolved by the Maui County Committee for Statehood, That it endorse, and it hereby endorses, immediate statehood for Hawaii; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Members of the Congress, the Secretary of the Interior, and the Delegate of Hawaii.

HUI MAKAAALA,
Honolulu, T.H., February 24, 1959.

HON. JAMES E. MURRAY,
*Chairman, Senate Interior and Insular Affairs Committee,
Senate Building, Washington, D.C.*

DEAR SENATOR MURRAY: Hui Makaala, an organization of American citizens of Okinawan ancestry, is forwarding to your committee a resolution advocating statehood for Hawaii.

Will you please give us all consideration for Hawaii to attain statehood so that we may be able to realize our lifelong ambition to be classified as first-class citizens.

We will be looking forward for a favorable congressional action. Thanking you.

Yours very truly,

TOKUICHI TAKUSHI,
Chairman, Hui Makaala Committee on Statehood.

RESOLUTION OF THE HUI MAKAAALA REQUESTING STATEHOOD FOR HAWAII

Whereas since its organization as an incorporated Territory in 1900 the Territory of Hawaii has been an integral part of the United States of America; and

Whereas the residents of the Territory of Hawaii have proven their loyalty to the United States of America in time of war and peace; and

Whereas the citizens of the Territory of Hawaii have repeatedly petitioned the Congress of the United States for admission of the Territory of Hawaii as one of the States of the Union: Now, therefore, be it

Resolved by the undersigned members of Hui Makaala, an organization of young Americans, That the Senate and House of Representatives of the Congress of the United States be and are hereby respectfully requested to grant statehood to the Territory of Hawaii in the year of our Lord 1959; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable Senator James E. Murray, chairman of the Senate Interior and Insular Affairs Committee, and to the Honorable Representative Wayne N. Aspinall, chairman of the House Interior and Insular Affairs Committee.

Dated at Honolulu, T.H., January 31, 1959.

LAHAINALUNA HIGH SCHOOL,
Lahaina, Maui, T.H., February 8, 1959.

HON. JAMES E. MURRAY,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR MURRAY: As a member of the Lahainaluna Chapter of the National Honor Society, I feel strongly that Hawaii is entitled to statehood. I urge that you give us full support in this congressional session.

My reasons for believing that Hawaii is entitled to statehood are those given by our honorable Gov. William F. Quinn at the Governors' luncheon climaxing the Pacific Festival as follows:

1. We suffer the deprivation of the full rights of American citizens.
2. The understanding among our various racial groups has equipped Hawaii to make an important contribution to the development of closer and friendlier relations among the countries of the Pacific world.

(a) Foreign students completing an orientation course at the University of Hawaii feel at home because they find some of the foods, customs, sights, and sounds to which they are accustomed.

(b) Our technicians who bear the evidence of their ancestry on their faces are more readily accepted in the countries of Asia.

(c) Our people-to-people program is another example of our leadership in the field of East-West relation. An example of such is the Schools for Laos program being conducted in Hawaii.

3. According to many Asians and astute American observers who have returned from Asia, we are painted as a nation of racists who are dedicated to a theory of white superiority.

4. We are almost 600,000 American citizens who have met all the obligations of American citizenship in peace and war.

(a) Boys from Hawaii fighting with the 442d Regimental Combat Team in World War II suffered a very high degree of casualties and emerged as the most highly decorated unit for bravery in the history of the American Army.

(b) Our casualties in the Korean war were four times the national average.

5. Our billion and a third gross product supports us with a per capita income better than half the States and a total income higher than seven States.

6. We have the best public health record in the world, a very high degree of literacy and an amazing political participation.

7. The workers in the sugar and pineapple industries are the highest paid year-round agricultural workers in the world.

8. We have paid some \$2 billion in taxes into the Federal Treasury.

9. We have been working hard and long for statehood.

10. The people of Hawaii overwhelmingly want statehood.

Respectfully yours,

DAVID JAVIER.

(COMMITTEE NOTE.—During the recess between the 85th and 86th Congresses, two members of the committee, Senators Carroll and Church, visited the Territory of Hawaii on behalf of the committee. They were joined by a group from the House Interior Committee, led by Congressman Leo O'Brien. Newspaper accounts of the findings and views of the Senators and Congressmen as published in the Hawaiian press are set forth below:)

[From the Honolulu Star-Bulletin, Nov. 25, 1958]

O'BRIEN, ILWU To HOLD CHAT

(By Al Goodfader)

Representative Leo O'Brien, Democrat, of New York, will chat with ILWU chieftains today as part of an informed congressional study of Hawaii's desire and fitness for statehood.

He, two other members of the House Interior Committee and two members of the Senate Interior Committee, arrived yesterday to begin a 2-week fact-finding tour of the islands.

Part of the group attended a military briefing yesterday.

O'Brien is scheduled to meet the ILWU's executive committee at 9:30 a.m. at ILWU headquarters.

"If they're controversial I think we should take a look at them," O'Brien said. Statehood debate has included discussions of the extent of possible ILWU control over political destinies here.

"I want to meet these people, size them up," O'Brien said. "I imagine it will be very formal * * * there will be no inquisition."

He didn't know last night if any of his colleagues would attend the meeting.

O'Brien wants to learn of the ILWU's organizational structure. He also wants to know: "Do the labor leaders actually deliver the vote?"

The discussion will be part of a series of talks with people in various walks of island life, O'Brien said.

Yesterday Congressmen attended a briefing at the headquarters of Adm. Harry D. Felt, Pacific commander in chief.

"I got the impression that our posture in the Pacific would be increased if we welcomed Hawaii in as a State—that to turn Hawaii down might hurt our posture with some of the people who are our friends and allies," O'Brien said. He plans to ask some of the top military brass here to testify on that point at congressional statehood hearings in January.

Here with O'Brien are Representatives B. F. Sisk, Democrat, of California, and E. Y. Berry, Republican, of South Dakota, and Senators Frank Church, Democrat, of Idaho, and John A. Carroll, Democrat, of Colorado. They are accompanied by their wives.

They are here at the invitation of Delegate Burns in preparation for a drive to make Hawaii a State next year. Groups wishing to meet with the legislators can reach them through the Delegate's office.

Burns and the mainland visitors will discuss an outline of the study today. The group intends to visit all the islands.

O'Brien will speak at Chaminade College during his stay. The date has not been set.

The group will attend a Democratic Party victory dinner tomorrow night at 6 p.m. in the Princess Kaiulani Hotel.

[From the Honolulu Star-Bulletin, Nov. 25, 1958]

CONGRESSMEN MEET WITH ILWU OFFICIALS

Six visiting Congressmen investigating Communist influence in the islands met informally this morning with the ILWU executive board at ILWU headquarters on Atkinson Drive.

Accompanied by Delegate Burns, the delegation was greeted by Jack Hall, regional director of the labor union.

After the hour-long session, Senator John A. Carroll, Colorado Democrat, said, "These people have far more democratic representation in their trade union movement than in many areas on the mainland."

Carroll said he felt "all members of the congressional delegation were convinced that the leaders of the union were activated by the highest purpose of the trade union movement."

The Senator said, "This Communist domination, as I've said before, is a phony issue."

Seven members of the delegation said they were impressed with the results of the session.

The press was barred from the informal meeting at the suggestion of Representative Leo W. O'Brien, New York Democrat and chairman of the House Territories Subcommittee, who said he wanted to make the meeting as informal as possible.

Earlier, Burns accused local newspapers of not giving Congressmen a break by assigning reporters to stay with them during their 2-week tour of the islands.

Burns suggested that the close press coverage was hampering attempts at informality.

The delegation met Antonio Rania, president of local 142, and other union officials before joining the 20-member executive board.

The board was holding its quarterly meeting and ordered a coffee break when the Congressmen arrived.

Members of the delegation, in addition to O'Brien, were Senators Frank Church of Idaho and John A. Carroll of Colorado, and Representatives B. F. Sisk of California, E. Y. Berry of South Dakota, and John J. Rhodes of Arizona.

Statehood for Hawaii got a boost from high-ranking naval officers at a special briefing for Congressmen and delegates to the Western Regional Governors' Conference held Monday noon at the headquarters of Adm. Harry D. Felt, Pacific commander in chief.

Representative Berry said the consensus of officers who conducted the briefing was that favorable action on statehood would help the United States diplomatically in the Far East.

He said most of the briefing was devoted to an explanation of the Pacific defense perimeter and this country's Formosa policy.

Last night the Congressmen attended a luau at the Willows as guests of the Western Regional Governors' Conference. The affair was staged by the Honolulu Chamber of Commerce.

Delegate Burns, who has been helping members of the delegation plan an itinerary, said he hopes to leave Thursday to return to Washington to launch the statehood drive.

The Congressmen are planning a grassroots factfinding tour of the islands and are expected to remain on Oahu for the remainder of this week before they visit the neighbor islands.

[From the Honolulu Advertiser, Nov. 26, 1958]

PRAISE UNION SETUP—U.S. CONGRESSMEN SCORN ILWU RED ALLEGATIONS

(By Al Goodfader)

Congressmen on a statehood factfinding tour here came out of a meeting with ILWU leaders yesterday with praise of the ILWU organizational setup and scorn for charges the union is Communist dominated.

Representative Leo O'Brien, Democrat, of New York, and Senator John A. Carroll, Democrat, of Colorado, spokesmen for the group, said the ILWU's position in Territorial society is no different from that of unions on the mainland.

They were among two Senators and four Representatives who had an hour and a half chat with Jack Hall, ILWU regional director; Antonio Rania, ILWU local 142 president, and the union's executive board.

Congressmen barred reporters they said, so they could get direct answers to their questions instead of "speeches" aimed at public consumption. They plan to follow the same practice throughout their stay here.

After the talk of ILWU headquarters O'Brien said that:

"Any Senator or Representative that sat in there this morning can make mincemeat of the assertion that if Hawaii came in the Union there would be two Soviet agents [in Congress]."

And Carroll called charges that the union was Communist dominated here "all hogwash."

O'Brien said union officials offered to take oath again that they are not Communists and have not been during the last 5 years. O'Brien and Carroll said they were told by union officials that anyone suspected of Communist leanings would be "snowed under" in a union election.

And the two Congressmen praised the union leadership and organizational setup.

They said: "Membership control of the union is equal to or superior to that [of unions] on the mainland."

According to Carroll, the visiting Congressmen believe that: "This movement [the ILWU] is no different from any such movement on the mainland and certainly the officers are of higher caliber than some on the mainland."

O'Brien said union officials "conceded" that they have a strong hold over the Territory's economy. But, he added, union officials pledged that this power "would never be used for subversive purposes [but] only to advocate the cause of labor and the economy of the islands."

He and Carroll cited union acceptances of long-term contracts as examples of union good faith on this point.

O'Brien said he was "very impressed" with the part membership elections play in determining ILWU policy.

Others who sipped coffee and invited ILWU leaders to let down their hair were Senator Frank Church, Democrat, of Idaho, and Representatives B. F. Sisk, Democrat, of California, E. Y. Berry, Republican, of South Dakota, and John J. Rhodes, Republican, of Arizona.

All are members of the Senate or House Interior Committees. All but Rhodes came here on a 2-week factfinding tour designed to strengthen arguments for Hawaiian statehood. Rhodes joined the group after coming here privately.

O'Brien, a prime mover in attempts to get statehood for Hawaii, said charges of Communist domination here were "the only issue" in congressional debate on statehood. But, he said, the charges are a smokescreen for other private issues.

Yesterday evening, several of the Congressmen were guests at a reception given by Delegate Burns at the home of Territorial Senator Dan K. Inouye.

At 6 p.m. today, the group will attend a Democratic Party victory dinner at the Princess Kaiulani Hotel. Burns will be speaker.

Burns, who invited the group to make its informal investigation here, leaves tomorrow for Washington. The group plans to visit all the islands before leaving December 8.

Tentative plans call for a meeting with the statehood commission at noon Friday.

[From the Honolulu Star-Bulletin, Nov. 26, 1958]

REDS IN ILWU ISSUE NOT RELATED TO STATEHOOD, SENATOR CHURCH SAYS

(By Jack Teehan)

Senator Frank Church, Idaho Democrat and member of the Senate Rackets Committee, today discounted reports of Communist influence in the ILWU as an argument against statehood of Hawaii.

Church, here with a five-member delegation from the Senate and House Interior and Insular Affairs Committees, said, "These problems are not at all related to the question of statehood."

One of six Congressmen who met with ILWU leaders yesterday, Church said: "I have never been a partisan of Harry Bridges (ILWU president) but my experience as a member of the McClellan (rackets) committee has convinced me that the answers to what bad practices exist in the labor movement can be found in appropriate labor reform legislation."

The youthful Senator said labor reform legislation is a first order of business when Congress convenes in January.

"I think it will better assure honest bookkeeping and union democracy and will put an end to gangsterism and other ills in the union movement," he said.

"Whatever the problem may be in Hawaii, it ought not to be used as a ruse against statehood," Church concluded.

Church said Jack W. Hall, regional director of the ILWU, told the congressional delegation yesterday that the union's leaders were prepared to testify under oath, and had so publicly declared, that they have not been members of the Communist Party for the past 5 years.

The Senator said Hall conceded such influence had once been a factor in the union but contended it had died out in recent years.

Hall referred to yesterday's session as a friendly discussion and said the union freely answered all questions.

The delegation was impressed by the fact that the ILWU has had no internal scandals and that its books are open to rank-and-file members and audited by an outside firm.

Representative Leo W. O'Brien, New York Democrat and chairman of the House Territories Subcommittee, said the ILWU "is obviously tough-handed" but apparently under the control of the membership.

Representative E. Y. Berry of South Dakota, the only Republican in the delegation, agreed with O'Brien "if they operate in practice as indicated."

Berry said he wants to know more about the union's ballot-counting procedures.

Hall reportedly told the Congressmen that any candidate for public office in the islands known to be closely affiliated with the Communist Party on a current basis would be "beaten to death" at the polls.

O'Brien called claims of a Communist menace in the islands "a smokescreen for racism and other issues" but said later, "We could be wrong."

The New York legislator noted, however, that no one person has quietly approached the delegation to provide information on Communist influence here since they arrived.

The Congressmen and their wives were guests at a cocktail part held last night at the home of Senator-elect and Mrs. Daniel K. Inouye, 4987 Kolohala Drive. They later attended a State dinner held for delegates to the Western Regional Governors' Conference, at the Royal Hawaiian Hotel.

The delegation was to meet with various individuals in the community today and is slated to take a holiday tomorrow, Thanksgiving Day.

Senator Church will tour Air Force installations today.

Delegation members have been invited to attend a victory party for Delegate Burns tonight at the Princess Kaiulani Hotel. They will lunch with the statehood commission Friday.

[From the Honolulu Advertiser, Nov. 29, 1958]

COMMUNISM DISCUSSED—CONGRESS GROUP MEETS FBI, BIG FIVE SPOKESMEN

Visiting Congressmen met representatives of the Big Five and the FBI yesterday in their informal study of Hawaii's fitness for statehood.

Representative Leo O'Brien, Democrat, New York, a spokesman for the group, said "a majority" of the Big Five representatives favored statehood.

He kept a promise to the FBI that the information he received would be confidential.

But he added, "communism and personalities" were discussed.

"After getting all the facts, I still favor statehood," O'Brien said.

The group meets with the Honolulu Chamber of Commerce Monday noon. After that, the group will visit the University of Hawaii.

On Tuesday, Congressmen will visit island schools.

They leave at 10:15 a.m. Wednesday for Kauai. They will go to Maui on Thursday and Hawaii on Friday, returning here Saturday.

The group returns home on the Matsonia Monday.

"We will have talked to everybody—gotten as complete a cross section as we can get," O'Brien said.

[From the Honolulu Star-Bulletin, Nov. 29, 1958]

ADVICE FROM CARROLL—DON'T LET FEAR OF REDS CONFUSE STATEHOOD ISSUE

Senator John Carroll, Colorado Democrat here to research isle statehood, today released the following statement, aimed at "clearing up certain misunderstandings" about remarks he made earlier this week, after a conference with I.L.W.U. officials:

"I am not in Hawaii for the purpose of placing the stamp of approval on any group—political, social or economic—existing in the islands, including labor organizations.

"I want the issue to be crystal clear.

"Communism ought to be resisted with every intelligent, democratic force at our command. But by the same token, in our continuing fight against Communist influence—direct or indirect—we must not let ourselves be sidetracked from the main issue.

"MAIN ISSUE

"The major and central issue is: Are the patriotic American citizens of Hawaii entitled to become an integral part of the union of States which forms the United States of America?

"Communism is a germ in the body politic which can only grow when healthy, democratic processes become sick.

"To be deluded by the mere spectre of communism to the point it freezes us into inaction in behalf of democracy is a serious mistake.

"I have enough faith in the people of Hawaii to believe they can meet and defeat whatever Communist influence they may encounter.

"The Communist argument against statehood is all too often advanced by people who are not for statehood in the first place—the frightened people.

"I am convinced that if the people of Hawaii believed a man was serving the Communist cause, he would be pau—a dead pigeon—in this fine, American community.

"'PHONY' ISSUE

"When I say the Communist argument is a 'phony issue,' I mean that it is phoney only insofar as it is used as a club with which to beat down statehood.

"I am not trying to whitewash any group.

"I am saying only that it is not, in any sense, related to the central issue of self-determination for a great group of Americans—the people of Hawaii—who are entitled to full citizenship in the United States."

[From the Honolulu Star-Bulletin, Nov. 29, 1958]

STATEHOOD DEFEAT WOULD HURT UNITED STATES, CHURCH SAYS

Senator Frank Church, Idaho Democrat, told the Hawaii Statehood Commission, Territorial lawmakers, and Honolulu businessmen yesterday that failure by Congress to grant isle statehood would be a serious blow to U.S. prestige in the world at large.

Speaking to a Statehood Commission-sponsored luncheon in the Princess Kaiulani Hotel, the impassioned young Senator Church said:

"It sometimes escapes us, but it ought not to: if there is one great single thing happening in the world today, it is the way large empires are breaking up, like so many icebergs in the spring.

"The key to the success of the United States is that we have never built an empire. Rather, we have built a nation.

"Statehood has been the cement with which we have put that nation together.

"Hawaii is the last of the incorporated Territories. If we give statehood to Hawaii, we will have completed the American Union.

"If we fail, the only reason which will be remarked on in the world at large will be the racial composition of the islands.

"This would be a grievous blow to democracy at large, and to the stature of the United States in the eyes of other nations."

SIX MEMBERS

Church was one of six Members of Congress invited to the luncheon.

Another, Colorado's Senator John Carroll, predicted flatly that there will be a filibuster by Southern Democrats on the issue of statehood in the next Senate.

Carroll said that, in light of an expected Senate fight over rule XXII, the filibuster rule, "it may be some time before the Democratic Policy Committee moves forward on Hawaii statehood" in the 86th Congress.

CONTRIBUTION

Lorrin P. Thurston, Statehood Commission chairman, told the visitors he thinks it is high time the issue of statehood was discussed on the basis of what Hawaii will contribute to the United States, not what the islands will gain by admission to the Union.

Answered Congressman Lee O'Brien, New York Democrat, "You're right. Our success in making Alaska a State was due primarily to the fact that we harped on what Alaska would contribute to the country as a State."

[From the Honolulu Star-Bulletin, Nov. 29, 1958]

O'BRIEN TALKS WITH FBI; DISCOUNTS RED MENACE

After a 2-hour meeting with F.B.I. agents here yesterday, Representative Leo W. O'Brien, New York Democrat, said, "I still don't feel there is a great Communist menace in Hawaii."

Senator Frank Church, Idaho Democrat, met with sugar and pineapple industry representatives yesterday and said he found no opposition to statehood.

Church said he felt that the representatives regarded the I.L.W.U. as "a tough union but also a clean one."

O'Brien, chairman of the House Territories Subcommittee, said his views were not necessarily those of the F.B.I. but reflected his own opinion after a factual rundown in a question and answer session.

Although there are some Communists in the Islands and some former Communists who hold important positions, O'Brien said, "My position on statehood has not changed."

NO POSITION

He said the F.B.I. agents were not asked for recommendations and took no position for or against statehood.

O'Brien was accompanied by Senator John Carroll, Colorado Democrat.

At the Statehood Commission luncheon held earlier yesterday, O'Brien said he was impressed by the argument that Hawaii has something to give in exchange for statehood status—a vast knowledge of the Pacific area and its people.

O'Brien said that in the long run this knowledge may prove to be of greater importance than Alaska's rich natural resources.

The Congressman said he has received an invitation from the Hawaii Residents Association (Imua) to visit its headquarters and will do so either today or Monday.

IN RECORDS

But he said most of the information which Imua has to offer is already in the records and on file in Washington.

"I'm interested in what the situation is now—not what it was," he said.

O'Brien said he will visit the University of Hawaii, Punahou and several public schools next Monday and Tuesday, including Kailua High School.

Members of the congressional delegation will leave for Kauai Wednesday morning and will visit Maui Thursday and Hawaii Friday and Saturday, returning to Honolulu late Saturday.

Senator Church planned to leave the Islands Monday but said last night he is trying to extend his stay for a few days.

[From the Honolulu Star-Bulletin, Dec. 2, 1958]

CONGRESSMEN VISIT UNIVERSITY OF HAWAII IN LOYALTY QUIZ

(By Jack Teehan)

Four visiting Congressmen bounced some tough questions off the walls in the University of Hawaii administration building yesterday but left the campus intact.

The men from Washington came to separate rumors from facts and got what they wanted.

The foursome, Senator Frank Church and Representatives Leo W. O'Brien, B. F. Sisk, and E. Y. Berry, have been in the islands more than a week to satisfy themselves that Hawaii is ready for statehood.

Dr. Laurence H. Snyder, the university president, and Dr. Willard Wilson, the provost, rounded up a cross-section of the faculty for an informal chat.

Representative O'Brien was first to take the plunge.

What about the loyalty and patriotism of the students? How would they compare, for example, with Cornell students?

Dr. Wilson recalled the opinion of a visiting Carnegie professor who found University of Hawaii students more actively patriotic than their mainland counterparts.

Dr. Wilson supposed it was a holdover from World War II when the loyalty of orientals had been questioned.

Wilson said he doubted if Cornell students gave much thought to patriotism.

What about communism on the campus?

Both Dr. Wilson and President Snyder said they felt it was much less in evidence than in the average university, particularly when compared with eastern schools.

Representative Sisk wanted to know if it is true that 97 percent of the student body are orientals.

It is not true, Dr. Snyder said. Only about half the students are of oriental lineage. "And every one is an American citizen," he added.

TO MAINLAND

Why do so many island youngsters go to the mainland for an education?

Children of prominent business leaders, Dr. Snyder pointed out, usually go to schools which the parents attended—an old mainland custom.

Donald G. McGuire, an associate professor, said about half the youngsters who go to the mainland for an education are children of oriental parents.

President Snyder interjected that he would never have accepted the presidency "if I had the slightest question about the university."

How about the caliber of students turned out by Hawaii's secondary school system?

Snyder said the Department of Public Instruction "turns out as fine a grade of student as any I've seen."

COST

Dr. Wilson said the university's cost per student is lower by far than land-grant schools in any of the Western States, partly because there is no high-cost, professional school, such as law, medicine, or dentistry.

Higher salaries are needed, he said, to attract middle and upper echelon associate and full professors, while beginners are adequately paid.

The Congressmen appeared satisfied.

LUNCHEON

Earlier in the day they lunched with the Honolulu Chamber of Commerce at the Alexander Young Hotel and won a standing ovation as they departed.

At that meeting O'Brien said "Hawaii's melting pot population is a greater success than in my own State (New York)."

O'Brien said, "If the charge persists that Hawaii is dominated by Communists, I shall say that either we are the greatest fools in history or that we are participating in a gigantic conspiracy."

The congressional delegation was to attend a luncheon given by Governor and Mrs. Quinn this noon at the Governor's Washington Place residence.

[From the Honolulu Advertiser, Dec. 3, 1958]

PHILLIPS AGREES: HAWAII AS 50TH STATE COULD CURB COMMUNISTS

(By Al Goodfader)

Dr. Lyle G. Phillips, past president of the Hawaii Resident's Association (Imua), agreed yesterday that a State of Hawaii could handle Communist activities within its borders.

He and Representative Leo O'Brien, Democrat, of New York, came to that conclusion after 2-hour meeting between five congressmen who are analyzing Hawaii's case for statehood, and Imua officials. Phillips said, however, the State of Hawaii would need "the help of Congress" in the form of legislation to curb Communist activities.

Imua presented its charges that Communist activities are a peril in the Islands. But, the congressmen came away from the meeting still convinced that Hawaii should be a State and that it faced no greater threat from communism than mainland areas.

O'Brien summed up his attitude this way:

"I think the Communist apparatus in Hawaii has been crippled. It has been pushed into a position where there is no greater risk with statehood than there would be in continued territorial status."

Two other members of the groups, Representatives B. F. Sisk, Democrat, of California, and E. Y. Berry, Republican, of South Dakota, visited Chairman William B. Stephenson of the Territorial Commission on Subversive Activities.

Sisk said afterward:

"We got the most complete picture of Communist power and influence in the Islands that we have heretofore received. This (the report on communism) indicated to me that it represents no more of a threat than in any State of the Union and can be handled here as on the mainland."

Senator Frank Church, Democrat, of Idaho, a fourth member of the group, told four residents here who propose Commonwealth status for Hawaii that Congress would never accept the idea. Church met the Commonwealth backers in private. They were not identified by name.

"They are asking for a free ride and I don't think Congress would approve," Church said. "The commonwealth proposal would have Congress free the Islands from Federal taxes to attract industries here."

Imua officials told the congressmen that reports of Communist activities here should not be "swept under the rug."

They said reports of House and Senate committee investigations, court trials and Subversive Activities Commission hearings showed that Hawaii is in peril from local Communist activity.

They said the cause of statehood would be better served by telling of efforts to fight communism here, rather than by ignoring its existence.

The Imua official cited the report of the Senate Internal Security Subcommittee which held hearings here in 1956 under the direction of Senator James O. Eastland, Democrat, of Mississippi.

O'Brien said his group was willing to accept the facts, but not the conclusions in the report. "The report we give will be more factual in content and conclusions than the Eastland report," he said.

Sisk said the Eastland report should be "taken with a grain of salt" because it was compiled by those who would "go to any lengths to destroy the possibility of statehood."

O'Brien told Imua he had no quarrel with their organization when he scoffed at claims that the Communist menace barred the Islands from consideration for statehood.

"We were not referring to you, but those in Congress who use you," O'Brien said. He also disclaimed any attempt to destroy Imua.

Dr. Philip M. Corboy, a director of Imua and a member of the Territorial Statehood Commission, said these two jobs are not incompatible.

"It's like a man who loves his wife and respects his mother-in-law," Corboy said.

"We are sincerely for statehood and consistently against communism and we can work for both ideals," Corboy added. He said later he was speaking of Imua members, "as individuals."

Imua representatives at the meeting in the Alexander Young Building, besides Phillips and Corboy were: Thomas G. Singlehurst, first vice president; Wynthrop Orr, executive secretary; Dr. Clarence E. Fronk, a director; Mrs. Walter F. Dillingham, a director, and members of Imua's staff.

The three representatives leave at 10:15 a.m. today for informal meetings on Kauai, Maui and Hawaii. They will go to Kauai today, Maui tomorrow and Hawaii on Friday. They return here Saturday.

The Congressmen and their wives leave for home on the Matsonia Monday.

[From the Honolulu Star-Bulletin, Dec. 5, 1958]

O'BRIEN FOR STATEHOOD WITH NO IFs OR BUTS
(By Jack Teehan)

KAHULUI, MAUI, December 5.—Hawaii will get a bright gold star on its report card for the next session of Congress—a star that may well become the 50th on the Nation's flag.

After visiting Kauai and Maui on a 4-day Neighbor Islands tour, Representative Leo W. O'Brien, chief spokesman for a delegation of visiting Congressmen, said:

"The returns from the late precincts are in—an overwhelming majority of the people of Hawaii want statehood."

But even more important, the men from Washington who came to the islands as friends of the statehood movement have developed burning personal convictions to bolster their fight on the floor of the House of Representatives.

SON OF ERIN

The change is most obvious in O'Brien, a graying Irishman who might have ghost-written "How to Win Friends and Influence People."

The chairman of the Territories Subcommittee, O'Brien made a speech before some 90 representatives of 42 organizations at the Maui Palms Hotel yesterday noon that brought tears to the eyes of at least one listener—Kei Yamato of New York City, head of Orchids of Hawaii.

"If communism is looking to the future in Hawaii," he said, "their seed will fall on the most barren soil I have even seen anywhere."

The man who has talked to thousands of school children on his islands tour said he was ashamed that youngsters seemed so grateful because he spoke to them.

The vicious arguments against Hawaiian statehood have continued so long, he said, it is no wonder that children in the islands have developed an inferiority complex and are almost ready to believe that they are, indeed, second-class citizens.

O'Brien told his Maui audience that about one-sixth of the islands' population is opposed to statehood—about the same proportion as was found in Alaska.

But he said some statehood opponents here are more articulate than there were in what is now the 49th State.

He predicted that Hawaii will be the last State to enter the Union and said "if we come to the islands again we'll come as tourists because we will no longer have jurisdiction over your destiny as members of the Interior Committee."

[From the Honolulu Advertiser, Dec. 8, 1958]

HERE'S WHAT REPRESENTATIVE O'BRIEN WILL TELL CONGRESS ABOUT HAWAII

(By Leo W. O'Brien)

Arrival or departure of Congressmen hardly comes under the heading of news in Hawaii.

But when the *Matsonia* sails for San Francisco this afternoon, the presence on board of three Congressmen could very well constitute a small slice of American history.

The three, Representative Bernie Sisk of California, Representative E. Y. Berry of South Dakota, and the writer, constitute a special committee of the House Subcommittee on Territorial and Insular Affairs.

I think we are the last group from that particular subcommittee, of which I have the honor of being chairman, which will ever visit Hawaii. It is our earnest hope—or rather firm belief—that Hawaii will be the 50th State of the Union by the end of 1959, certainly not later than 1960.

When that happens, our committee will lose jurisdiction over what is now the last incorporated Territory under the American flag. We will be very happy to lose our authority in a great cause.

During the last two weeks, our committee, working in close harmony with Senators John Carroll of Colorado and Frank Church of Idaho, have been compiling the record and the impressions on which we will base our major roles in the statehood fight which lies close ahead.

Our report will be unanimous and it will recommend statehood at the earliest possible moment. We were leaders, in the last Congress, of the move to give Alaska statehood. We believe Hawaii's arguments for statehood are even stronger than those of Alaska.

Some residents of Hawaii have been curious about our failure to conduct public hearings here. A few were critical.

The fact is that the records of public hearings on Hawaii statehood are 10 feet tall and seldom read. The further fact is that we knew exactly the arguments we would have to overpower in the next Congress and we knew where to go for the answers.

They would not be found among professional witnesses with tiresome prepared statements, nor in the stilted questions of investigating Congressmen. They could be found only among the people.

That is why we deserted the hearing room for the street corners, the homes, the labor halls and the business marts, the schools, the churches, the professional groups, the law enforcement agencies, and, yes, the politicians.

Admission of Alaska as the 49th State simplified our quest.

No longer is it necessary to answer the contention that 600,000 people in Hawaii should not have the same number of U.S. Senators as existing States, such as my own heavily populated New York. We gave two Senators to Alaska with 212,000 people.

We do not have to answer the claim that Hawaii might not be able to support statehood economically. Hawaii is much more advanced economically, as of now, than is Alaska.

Creation of the 49th State out of the Territory of Alaska also blasted the theory that we would not and should not admit noncontiguous territory to statehood. A vast open sea lies between Hawaii and the mainland, but many miles of foreign land lie between the present 48th State and the new 49th.

What then is left to answer?

Let's take the easy ones first. It will be argued by some in Congress that Hawaii should be made a Commonwealth instead of a State.

We ran into that when the Alaska bill was before us. Supporters of Commonwealth in Hawaii are as few in number and as weak in their arguments as are the advocates of such a status in Congress.

It will be suggested that many people in Hawaii don't want statehood; that they are afraid to speak up because the newspapers and other media of public opinion are so loud in their demands.

Our committee has met with thousands of people in Hawaii, on the outlying islands as well as in Honolulu. We believe that a lower percentage of people in Hawaii opposes statehood than we found in Alaska where, in the useless referendum earlier this year, the prostatehood vote was 5 to 1.

The main arguments we must overcome when the Hawaii statehood bill reaches the floor, probably early in May, are these :

1. Hawaii has a Communist apparatus so strong and in such a strategic position that it would control the elective officials of the new State, including those it would send to the U.S. Senate and the House.

2. Mixed races in Hawaii would pose a constant question as to their firm loyalty to the United States in war with or disagreements with the nations from which they spring ethnically.

I have stated these as separate arguments, but actually there is no clear dividing line. Many who oppose statehood because of the mixed races, particularly the oriental strains, hide their feelings behind the handy and confusing issue of communism.

Let's take the matter of mixed races first. This was my first visit to Hawaii. I spent most of my life in Albany, N.Y., an old city, where persons with oriental blood are few and far between. So, during my first day in Hawaii I was fascinated by what I saw. Within 24 hours, I accepted the racial mixtures here as matter of fact.

And, as the days went on, a new fascination took hold of me, as I visited the wonderful schools, from elementary grades through the college level, with no consciousness among the children that one was any less American than the other.

We, all of us, saw a clean, intelligent, gentle people of whom any nation could be proud. We saw, too, the actual operation, without strain or stress, of the "melting pot" of which we speak on the 4th of July and do little to achieve the rest of the year.

If the races on the mainland were to mix as successfully as they already have in Hawaii, our democracy would be advanced by 100 years. What has happened in Hawaii is not something to draw aloof from, but rather something at which we should point with pride.

We will be asked in Congress what Hawaii, as a new State, will have to offer the rest of the Nation. We spoke of oil and other material and undeveloped resources when we argued for Alaska.

When we take the floor for Hawaii we will point to the gigantic shot in the arm admission of Hawaii as a full brother will give our posture throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million people free and friendly.

What will those people think if, after admitting Alaska, we say "no" to Hawaii? I know. They will say we denied Hawaii because we didn't like the racial strains there.

As to loyalty when the chips are down at some future time, why look to the future? The people of Hawaii, of all races, have already met this test and come through with flying colors. Proof of their loyalty is written in blood shed for the American cause.

I have Irish and English blood in my veins. I would not fight for either country if, God forbid, they warred upon the United States. Neither will the people of Hawaii, if we fall out with any of the many lands from which they or their forefathers came. If in doubt about that, consult our military intelligence, or our FBI, or the names on the gravestones of countless military dead.

And, now, for the big question. What will we say when, surely as tomorrow's sunrise, opponents of statehood take the floor and say:

"Hawaii has many Communists. Its most powerful labor union, the ILWU, has leaders who have been publicly cited as present or former Communists. Those leaders can, at their whim or will, cripple the economy of the islands. They owe allegiance to international communism and they will deliver the union members, as a bloc, for candidates who are Communists or soft toward communism."

At least one Member of the House is sure to say, as he has before:

"If you give statehood to Hawaii, you will have four Soviet agents in the Congress of the United States."

This is an argument calculated to frighten indifferent Members of Congress, who are not opposed to mixed races, but who fear that if they vote for statehood in the face of such statement, some of their constituents will think they are soft toward communism.

Those members hold the balance in this statehood fight. It is our job to convince and reassure them.

That is why during these last 2 weeks we have talked to the most informed people in Hawaii on this subject. That's why, fresh from the ship, we went to union headquarters. That's why we spent 2 hours with the FBI and 2 hours with Imua leaders. That's why we went to schools and churches. That's why we talked with business leaders, some of whom don't like the ILWU.

We have done our homework, and these are our conclusions:

1. There are about 25 Communists in Hawaii, percentagewise fewer than in New York or Alaska.

2. Identified Communists, who claim they have broken away, are in positions of great power in the ILWU, which has about 24,000 members.

3. These leaders, if they can sway their followers, can wreak economic havoc on Hawaii, but such action, no matter the motive, would be as harmful to the interests of Hawaii and the United States, whether Hawaii is a State or a Territory.

4. There is evidence, despite this great power, that some substantial businessmen have preferred to deal with the ILWU rather than some other unions. Most significantly, we found that powerful spokesmen for management who have locked horns with the ILWU and have no love for it or its leaders are among the staunchest supporters of statehood.

5. The big question is the extent of the political control of the leaders of the ILWU, particularly those leaders who have been cited as Communists. There is disagreement about that even in Hawaii. Imua thinks the political power is great and that it can and will be used for subversive purposes. We cast no reflection upon Imua, whose members include highly respected persons, but we must disagree as to the extent of the danger.

6. Imua itself agreed with our committee that the problem, even in the magnitude they found, could be handled under statehood, provided Congress gave the State the proper tools. That, we felt, was a major concession and answered, to some extent, the contention that Imua is actually an antistatehood organization in disguise.

It would be as unfair to say that Imua is antistatehood because some of its contributors are as it would be for Imua to say that the ILWU membership is a solid Communist political force and that all who disagree with that claim are suspect.

7. We found no evidence that the Communists in Hawaii have ever been linked with Soviet espionage or that they have ever managed to elect a Communist to public office.

8. We do not approve of the political strike which was staged by the ILWU leaders when the Eastland committee came here, but we found significance in the fact that two-thirds of the union members refused to strike and that some of those who did felt that the Eastland committee was gunning for labor rather than Communists.

9. We note, too, that a very distinguished Senator who signed the Eastland committee report was most active earlier this year in urging Congress to grant immediate statehood to Hawaii.

10. We were told that the inquiry by the FBI and the resultant Smith act trials, despite the ultimate ruling of the High Court, crippled the Communist apparatus in Hawaii. The new State and the Federal Government can keep it crippled.

11. It is true that ILWU-endorsed candidates have won public office, but in many instances they would have won anyway, either because of their general popularity or their reputation as friends of labor.

12. Honolulu adopted a city charter, by an overwhelming vote, despite strenuous ILWU opposition.

13. In the most recent elections, union-backed candidates, including some union leaders, were soundly beaten. In other instances, the ILWU tried to "fatten its batting average" by endorsing candidates who were going to win anyway. Despite this strategy, they made a rather poor showing.

14. Finally, where a community or State is dominated by Communists, it shows up in the schools. We state, without reservation, that the Hawaiian schools are extraordinarily good and that Communists who try to plant their evil seed there will find most barren ground.

I was a newspaperman for 30 years before going to Congress. Looking back on what I have written, I feel that I have been away from the reporter's typewriter too long and that I have forgotten the rules of brevity.

In a few hours, we will be on our way home, first to spend a few holiday hours with our children and grandchildren and then on to Washington for the historic battle.

Will you get that 50th star?

Let me answer this way. I shall never return to Hawaii until you are a State. I expect to return within 18 months. Meanwhile:

Aloha and Mahalo Nui Loa.

×

STATEHOOD FOR HAWAII

HEARINGS
BEFORE THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
HOUSE OF REPRESENTATIVES



EIGHTY-SIXTH CONGRESS

FIRST SESSION

ON

H.R. 50

TO PROVIDE FOR THE ADMISSION OF THE STATE OF HAWAII
INTO THE UNION

AND

H.R. 888

TO PROVIDE FOR THE ADMISSION OF THE TERRITORY OF
HAWAII INTO THE UNION

JANUARY 26, 27, AND 28, 1959

Printed for the use of the Committee on Interior and Insular Affairs

Serial No. 1



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959

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STATEHOOD FOR HAWAII

MONDAY, JANUARY 26, 1959

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met, pursuant to notice, at 9:50 a.m., in the committee room, New House Office Building, Hon. Wayne N. Aspinall, chairman of the committee, presiding.

Mr. ASPINALL. The Committee on Interior and Insular Affairs will now be in session for such business as is regularly calendared to come before us.

Before we begin our hearing this morning I think it well that the committee pay recognition to the fact that we have lost one of the able members of this committee. I refer to the passing of our colleague, Mr. George Christopher, and unless there is an objection, when we adjourn this meeting this morning we shall adjourn the meeting, and the record will show that we adjourned, out of respect to our colleague.

Hearing no objection, it is so ordered.

The Secretary of the the Interior is here this morning with his staff from the Office of Territories. The reason that we have not called the Secretary and his staff members before the committee in formal session as we usually do in the beginning of a session of Congress is that we are giving first priority to the legislation now before the committee.

Mr. Secretary, we shall ask you and your staff members to appear before the committee when we get through with this task which we have calendared at this time.

The Chair desires to state that he wishes that the consideration of H.R. 50 and kindred bills will be handled expeditiously and completely, at least as completely as reasonably possible. Those of us who have for many, many years supported legislation granting the status of statehood to Alaska and Hawaii are pleased with the first goal which we reached which was the granting of statehood to Alaska.

Now let us proceed together toward the second—statehood for Hawaii—with a like dedication to our task. Let unhampered and constructive debate prevail at our proceedings. Write a record so that future generations may know that we understand the importance of the task we now undertake.

Above all things, especially in this committee and while we control the legislation, may we committee members keep party partisanship at a minimum, and, if possible, remove it from our deliberations entirely, because this matter is a nonpartisan or rather a bipartisan matter.

I wish to thank Delegate Burns for the outstanding spirit of cooperation which he has shown. It took an understanding, a trusting, a

dedicated person to wait as he has for action on this legislation which means so much to the people of Hawaii.

I sincerely hope that now that the hour of fulfillment for all the people of Hawaii is close at hand, that the galaxy of stars in our flag shall be filled to its presently anticipated completion.

The procedure to be followed in the consideration of the legislation now before us has been agreed upon by the distinguished gentleman from New York, Mr. O'Brien, chairman of the Subcommittee on Territories and Insular Affairs and myself.

Mr. O'Brien provided able and effective leadership in the fight for statehood for Alaska. His zeal in that task was second to none in the Congress of the United States. He stands likewise dedicated to securing the status of statehood for Hawaii.

It is given to but few men to be privileged to be a leader in two such endeavors.

Recognizing his ability and his right and honest ambition to assume such leadership, I am now appointing him as acting chairman of our committee for the hearings on H.R. 50 and kindred bills and the marking up of these bills.

I also request that he prepare for and file with the House the committee report showing the action of this committee on the legislation now before us. I request that the gentleman from New York, Mr. O'Brien, take the chair.

Mr. O'BRIEN (presiding). Mr. Chairman, may I say at the outset that I appreciate what you have just done. I think that there are few men in Congress, chairmen of powerful committees such as this, that would step aside in connection with consideration of historic legislation and permit the first mate to run the ship. I appreciate what you have done very deeply.

As the chairman has said, we hope to proceed expeditiously with these hearings. There has been a tremendous volume of testimony in connection with statehood for Hawaii. I think that every Member of Congress, new or old, is aware of the basic issue.

I also believe that this matter is of such importance that we on this committee should endeavor to push it to a point where it can have speedy consideration by the whole Congress.

The hearing will be, as the chairman of the full committee stated, on H.R. 50, H.R. 324, H.R. 601, H.R. 1800, H.R. 1833, H.R. 1917, H.R. 1918, H.R. 2004, H.R. 2328, H.R. 2348, H.R. 2476, H.R. 3086, all of which provide for the admission of the state of Hawaii into the Union.

Also H.R. 888, 954, 959, 1106, 2795 to provide for the admission of the Territory of Hawaii into the Union.

Without objection, H.R. 50, H.R. 888 will be inserted at this point in the record.

(H.R. 50 follows:)

[H.R. 50, 86th Cong., 1st sess.]

A BILL To provide for the admission of the State of Hawaii into the Union

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States

in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and approaching money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (off-shore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, is adopted as a law of said State, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225, and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

SEC. 5. (a) The State of Hawaii and its political subdivisions, as the case may be, shall have and retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State: *Provided, however*, That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall be and become vested with absolute title thereto, or an interest therein conformable to such limitations, as the case may be.

(b) The United States hereby grants to the State of Hawaii, effective upon the date of its admission into the Union, the absolute title to all the public lands and other public property within the boundaries of the State of Hawaii as described herein, title to which is in the United States immediately prior to the admission of such State into the Union, except as otherwise provided in this Act: *Provided, however*, That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall retain absolute title thereto, or an interest therein conformable to such limitations, as the case may be: *Provided further*, That the provisions of section 91 of the Hawaiian Organic Act, as amended (48 U.S.C.

511), which authorize the President to restore to their previous status lands set aside for the use of the United States, shall not terminate upon the admission of the State of Hawaii into the Union but shall continue in effect for a period of five years thereafter. As used in this subsection, the term "public lands and other public property" means, and is limited to, the lands and other properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or other properties so ceded. The lands hereby granted shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) The lands granted to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible, for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under the preceding subsection shall be used for the support of any sectarian or denominational school, college, or university.

(d) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property hereinabove vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto, are hereby repealed.

(e) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. Upon enactment of this Act, it shall be the duty of the President of the United States to forthwith certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, but the officers so elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by the constitution or laws of said State, said Representatives shall be elected at large, the two offices shall be separately identified and designated, and no person may be a candidate for both offices. In the first election of Senators from said State, the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices.

SEC. 7. (a) The proclamation of the Governor of the Territory of Hawaii required by section 6 shall provide for the holding of a primary election not less than sixty nor more than ninety days after said proclamation, and the general election shall take place within forty days after said primary election, and at such elections the officers required to be elected as provided in section 6 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Hawaii shall be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(2) All provisions of the Act of Congress approved _____, reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; and section 8 of article XIV shall be deemed amended so as to contain the language of the second proposition above stated in lieu of any other language. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thereupon cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of the said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

(d) Upon admission of the State of Hawaii into the Union as herein provided, all the Territorial laws then in force in the Territory of Hawaii shall be and continue in full force and effect throughout said State except as modified or changed by this Act, or by the constitution of the State, or as thereafter repealed or amended by the Legislature of the State of Hawaii, except as hereinbefore provided with respect to the Hawaiian Homes Commission Act, 1920, as amended. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to the admission of the State of Hawaii into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of the admission of the State of Hawaii into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act.

SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to two Representatives until the taking effect of the next reapportionment, and such Representatives shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the District of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

“(a) The district judges, except in Puerto Rico, shall hold office during good behavior. The district judge in Puerto Rico shall hold office for the term of eight years, and until his successor is appointed and qualified.”

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words “including the district courts of the United States for the districts of Hawaii and Puerto Rico,” and inserting in lieu thereof the words “including the United States District Court for the District of Puerto Rico.”

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words “, except in the district of Hawaii, where the term shall be six years”;

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words “, except in the district of Hawaii where the term shall be six years”; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no indictment, action, or proceedings shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictment, and proceedings relating to any such cases shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no

change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "Supreme Courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "Supreme Court of Puerto";

(c) title 28, United States Code, section 1294, is amended by striking out paragraph (5) thereof and by renumbering paragraphs (6) and (7) as paragraphs (4) and (5) respectively;

(d) the first paragraph of section 373 of title 28, United States Code, is amended by striking out the words "United States district courts for the Districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the district court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in commission as a district judge for the district of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,".

SEC. 15. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii, the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (i) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for Defense or Coast Guard purposes: *Provided, however*, That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

SEC. 16. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Hawaii is admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

SEC. 17. (a) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, or possessions, or as conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "island possession or island territory", the words, "the State of Hawaii, or";

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "island possession or island territory", the words "the State of Hawaii, or".

SEC. 18. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 19. Section 101a(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a)(36)) is amended by deleting the word "Hawaii,".

SEC. 20. Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d)(7)) is amended by deleting from the third line of the first sentence thereof the word "Hawaii," and by deleting the proviso contained in the first sentence thereof.

SEC. 21. The first sentence of section 310(a) of the Immigration and Nationality Act (66 Stat. 239, 8 U.S.C. 1421 (a)) is amended by deleting the words "for the Territory of Hawaii, and".

SEC. 22. Nothing contained in this Act shall be held to repeal, amend or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 23. if any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

SEC. 24. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress are hereby repealed.

[H.R. 888, 86th Cong., 1st sess.]

A BILL To provide for the admission of the Territory of Hawaii into the Union

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act and upon issuance of the proclamation required by section 7(c) of this Act, the Territory of Hawaii is hereby declared to be a State of the United States of America and to be admitted into the Union on an equal footing with the other States in all respects whatsoever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, is adopted as a law of said State, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (a) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections

206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act shall not be increased except with the consent of the United States; (b) any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (c) all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

Sec. 5. (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

(b) Except as provided in subsections (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States title to all the public lands and other public property within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions; for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended; for the development of farm and home ownership on as widespread a basis as possible; for the making of public improvements; and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under the preceding subsection shall be used for the support of any sectarian or denominational school, college, or university.

(g) As used in this subsection, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsections (a), (b), or (e) of this section, or reserving the right to alter, amend, or repeal laws shall cease to be effective except as they may relate to or affect military installations which have heretofore been or are hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

(i) The Submerged Lands Act of 1953 (Public Law 31, 83d Congress, first session; 67 Stat. 29) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. As soon as possible after the enactment of this act, the President of the United States shall certify such fact to the Governor of Hawaii. Thereupon the Governor shall issue as soon as possible his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by constitution of the proposed State of Hawaii, but the officers so elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by the constitution or laws of said proposed State, said Representatives shall be elected at large.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election, and at such elections the officers required to be elected as provided in section 6 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Hawaii may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may either be the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) Shall Hawaii immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and all claims of this State

(date of approval of this Act)

to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved _____

(date of approval of this Act)

reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants or lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; and section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of

said proclamation by the President, the Territory of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said Territory is so admitted into the Union, the persons holding legislative, executive, and judicial offices in, under, or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the Territory of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. Upon its admission into the Union the State of Hawaii shall be entitled to two Representatives until the taking effect of the next reapportionment, and such Representatives shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall operate neither to increase nor to decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), and such temporary increase shall not affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) the first sentence of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

SEC. 10. Effective upon the admission of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico,".

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out the words ", except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out the words ", except in the district of Hawaii where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no writ, action, indictment, cause, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to

the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such cases shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out the words "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, as amended, is further amended by striking out paragraph (4) thereof and by renumbering paragraphs (5) and (6) accordingly;

(d) the first paragraph of section 373 of title 28, United States Code, as amended, is further amended by striking out the words "United States District Courts for the district of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *Provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in commission as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 86 of the Act of April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(f) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(g) section 3771 of title 18, United States Code, as amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(h) section 3772 of title 18, United States Code, as amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 664a), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,".

SEC. 15. All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as provided in section 4 of this Act with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of its admission into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

SEC. 16. (a) Notwithstanding the admission of the Territory of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said Territory into the Union all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the Territory of Hawaii into the Union, authority is reserved in the United States for the exercise by the Congress of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said Territory into the Union, are controlled or owned by the United States and held for defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, That (i) the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) the reservation of authority in the United States for the exercise by the Congress of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii or to prevent said

State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for defense or Coast Guard purposes: *Provided further*, That, notwithstanding the terms of the foregoing proviso, the United States shall have sole and exclusive jurisdiction over such military installations as have heretofore been or are hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

SEC. 17. The next to last sentence of the first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251), as amended by section 19 of the Act of July 7, 1958 (72 Stat. 339, 350), is amended by inserting after the word "Alaska" the words "or Hawaii".

SEC. 18. (a) Nothing contained in this Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States and its possessions, or as conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "island possession or island territory", the words "the State of Hawaii, or";

(2) section 605 (a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "island possession or island territory", the words "the State of Hawaii, or".

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, or to terminate nationality heretofore lawfully acquired, or to restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party.

SEC. 20. (a) Section 101(a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a) (36)) is amended by deleting the word "Hawaii,".

(b) Section 212(d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d) (7)) is amended by deleting from the third line of the first sentence thereof the word "Hawaii," and by deleting the proviso contained in the first sentence thereof.

(c) The first sentence of section 310(a) of the Immigration and Nationality Act (66 Stat. 239, 8 U.S.C. 1421(a)) is amended by deleting the words "for the Territory of Hawaii, and".

(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 21. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be effected thereby.

SEC. 22. All Acts or parts of Acts, whether enacted by the Legislature of the Territory of Hawaii or by Congress which are in conflict with the provisions of this Act are hereby repealed.

Mr. O'BRIEN. The following department reports were requested and received: The Department of Interior, favorable; Department of State, favorable; Department of Defense, favorable, and we have a witness here this morning from the Department of Defense.

Department of Justice, received, and it is favorable with a detailed report to be submitted later; Department of Agriculture, not yet received; Department of the Budget, received, and the report is favorable.

Copies of the aforementioned reports are before each member.

Also before each member is Committee Print No. 2, a comparative analysis of H.R. 50 and H.R. 888. That could be very helpful to the membership and I want to compliment the staff upon preparing it.

Mr. ASPINALL. Mr. Chairman, I would ask unanimous consent that the various reports which have been received and the two reports which have not yet been received be made a part of the record at this place.

Mr. O'BRIEN. Without objection, it is so ordered.

Mr. HALEY. I do not intend to object, Mr. Chairman, but I note that we will receive an additional report from Justice; is that correct?

Mr. O'BRIEN. Yes; that is correct.

Mr. HALEY. Would it be in order to make that a part of the record at this point?

Mr. O'BRIEN. Under the motion by the gentleman from Colorado, that will be done, yes.

(The reports follow :)

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., January 23, 1959.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D.C.

DEAR MR. ASPINALL: This will reply to your request for the views of this Department on H.R. 50, H.R. 888, and H.R. 954, providing for the admission of the Territory of Hawaii into the Union.

We urge the enactment of Hawaii admission legislation. It is noted that H.R. 888 and H.R. 954, which are identical bills, contain technical language changes prepared by your committee staff with the cooperation of this Department while H.R. 50 appears to contain provisions of an earlier bill developed prior to agreement on such technical changes and prior to this Department assimilating the views of the Congress on the related subject of Alaskan statehood.

Now that the admission of Alaska as a State in the Union is a fact, we believe that the prompt admission of Hawaii, our only remaining incorporated Territory, will represent a timely addition to this Nation's complement of States. Furthermore, the admission of Hawaii will fulfill a solemn obligation on the part of the United States to the people of Hawaii—first expressed in the Treaty of Annexation in 1898.

These bills provide for the admission of Hawaii into the Union as a State, and prescribe the procedure to be followed for that purpose. They properly recognize the actions already taken by the Government and the people of the Territory to form and adopt a State constitution, and ratify those actions.

With the admission into the Union of Alaska, many of the objectives formerly argued against the admission of Hawaii are no longer applicable. The opposition to admission of noncontiguous areas, for example, is obviously outdated. In fact, Hawaii is in every way as well qualified for statehood as is Alaska.

Hawaii is truly American in every aspect of its life. Its people have been citizens of the United States since 1900 they have no other loyalty. They have lived under the same laws, paid the same taxes, and enjoyed the same constitutional guarantees as other Americans for over half a century. The Americanism of the people of Hawaii goes beyond mere legal conformity. Hawaii is pervaded by American ideals and practices in its civic organizations and private charities, in its educational system and its athletics, in its press and radio, and in its way of living generally.

While a substantial proportion of Hawaii's people are of racial extractions originating in a distant continent, we believe there are no finer patriots in the Nation—as was proved by the kind of service given by Hawaii's sons during World War II and the Korean conflict.

Hawaii has also met every objective test of fitness for statehood. The civilian population of Hawaii for 1958 was estimated by the Census Bureau to be 578,000. Although recent figures on military population cannot be revealed for security reasons, it seems likely that the military population in 1958 amounted to about 59,000, the same figure as for 1957, thus giving Hawaii a total of 637,000 for 1958.

Thus, Hawaii's population exceeds that of the following six States: New Hampshire, 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, 214,000.

In recent years Federal internal revenue collections in Hawaii have generally exceeded those in 10 of the present States. In fiscal 1958 such collections in Hawaii amounted to \$166,306,000, which were greater than the collections in New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, or Alaska.

The Hawaiian Tax Commissioner has estimated the island's gross Territorial product for 1958 at the impressive total of \$2,109,890,000.

For many years the people of Hawaii have exercised self-government in a manner that demonstrates their firm adherence to the ideals of free government. The Hawaiian economy is well developed and prosperous. It can easily support the slight additional expense to the Hawaiian taxpayer that will result from statehood.

The Territory of Hawaii has repeatedly petitioned for statehood, and 8 years ago adopted a State constitution which was ratified overwhelmingly by the voters. The constitution evidences a sound and mature grasp of governmental problems.

President Eisenhower has repeatedly recommended statehood for Hawaii. In opening his state of the Union address on January 9, the President said: "May I voice the hope that before my term of office is ended I shall have the opportunity and great satisfaction of seeing the 50th star in our national flag." And in his budget message to the 86th Congress, the President stated: "I again recommend that the Congress enact legislation to admit Hawaii into the Union as a State, and to grant home rule to the District of Columbia. It would be unconscionable if either of these actions were delayed any longer."

The following three provisions of the bills should be noted:

1. Subsection 5(d) provides that for a period of 5 years after Hawaii is admitted into the Union either Congress by legislation or the President by Executive order, made pursuant to law, may take back from the State title to any of the lands that are granted to the State by other provisions of the act.

2. Subsection 5(h) provides that if any of the land that is granted to the State is by law subject to free use by the United States, the law granting such free use is repealed, but either the President or the Secretary of Defense may reinvoke the law at any time in the future by determining an area granted to the State to be a critical one. There is no time limitation on this reserved power to take from the State a right of free use, as distinguished from title.

3. Subsection 16(b) reserves the right of Congress to assume by legislation exclusive legislative jurisdiction over any lands that on the date Hawaii is admitted into the Union are owned or controlled by the United States and are held for defense or Coast Guard purposes. Such exclusive jurisdiction is really concurrent jurisdiction, however, because the subsection specifies that the State shall have the right to serve civil and criminal process, and to exercise concurrently any jurisdiction it would otherwise have that is consistent with the applicable Federal laws.

The last proviso of this subsection, however, gives to the President and to the Secretary of Defense, independently, the right to assume without legislation by Congress exclusive jurisdiction over any military installation that he may determine to be a critical area. There is no time limitation. This exclusive jurisdiction would not be subject to the right of the State to serve processes or to exercise concurrent jurisdiction, as would be the case if Congress acted under the first part of the subsection.

We understand that these provisions were drafted after consultation with the Department of Defense, and we shall therefore not comment on their details. In general, however, we feel that the title to the land conveyed to the State should not be subject to the right of the Federal Government to take back the title, or an indefinite right of free use. The State is entitled to know at some reasonable time what it is authorized to do with the land. Moreover, there should be a limit on the right of the United States to take title to, or free use of, lands which it only holds in trust for the people of the present Territory. With respect to jurisdiction, some further consideration may be warranted of the reserved congressional power to exercise concurrent jurisdiction and the reserved Executive power to exercise sole and exclusive jurisdiction.

We appreciate this opportunity to again express our views on this important

subject. And we stand ready to aid your committee, in any manner, to assure early consideration by the Congress of the petition of the people of Hawaii for admission of Hawaii into our Union. As a matter of simple justice, the prompt admission of Hawaii, our last incorporated Territory, should be accomplished as soon as possible.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of January 15, 1959, to the Attorney General relative to Hawaii statehood legislation.

The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1960.

With respect to specific bills introduced in the 86th Congress to admit Hawaii into the Union reports will be submitted promptly upon completion of the study of them now being made.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF DEPUTY ATTORNEY GENERAL,
Washington, D. C., February 9, 1959.

HON. WAYNE H. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: This is in further response to your request for the views of the Department of Justice on the Hawaii statehood bills (H.R. 50, "To provide for the admission of the State of Hawaii into the Union"; H.R. 888, "To provide for the admission of the Territory of Hawaii into the Union"; and H.R. 954, "To provide for the admission of the Territory of Hawaii into the Union").

The position of the Department of Justice favoring the grant of statehood to Hawaii is firm and unequivocal. As stated in my letter of January 22, 1959, to your committee, "The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1960."

Our examination of these bills disclosed some typographical errors and matters of a technical nature, information concerning which was furnished informally to members of the committee staff.

The Department of Justice has no further comment to offer with respect to these bills.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
OFFICE OF LEGISLATIVE LIAISON,
Washington, D.C., January 26, 1959.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: Your request for comment on H.R. 50, H.R. 888, and H.R. 954, similar bills, to provide for the admission of the State of Hawaii into the Union, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

With regard to military aspects of statehood for Hawaii, the bills provide for retention of ownership by the United States in all lands held for military purposes. In general, the bills provide that concurrent jurisdiction over such lands is to be vested in the State of Hawaii and the United States with the reservation to the Congress of the authority, by legislative process, to take exclusive jurisdiction on behalf of the United States. These provisions are satisfactory to this Department.

As these bills would adequately safeguard the needs of the services, the Department of the Navy, on behalf of the Department of Defense, supports the admission of Hawaii into the Union.

As a technical matter, it is believed that the language of H.R. 888 and H.R. 954 concerning the setting aside of land for the use of the United States during the 5-year period after enactment is clearer than the language of H.R. 50, and therefore, is preferred by the Department of Defense. In this connection the restoration provisions of section 5(b) of H.R. 50 are preferable to the comparable provisions in H.R. 888 and H.R. 954. Additionally, it is recommended that there be an explicit showing in any bill enacted that not only the Submerged Land Act of 1953 but also the Outer Continental Shelf Lands Act will apply to the State of Hawaii.

This report has been coordinated with the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report on H.R. 50, H.R. 888, and H.R. 954.

Sincerely yours,

REAR ADM. JOHN S. MCCAIN, JR.
(For the Secretary of the Navy.)

DEPARTMENT OF STATE,
Washington, D.C., January 23, 1959.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives.

DEAR MR. ASPINALL: I refer to your letter of January 15, 1959, requesting the Department's comments on three bills (H.R. 50, H.R. 888, and H.R. 954) to provide for the admission of the Territory of Hawaii into the Union.

The Department's position on the question of statehood for Hawaii, as expressed in response to a similar request made during the 85th Congress, remains unchanged. It is the Department's view that the admission of Hawaii into the Union would serve to support American foreign policy and strengthen the position of the United States in international relations.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary
(For the Secretary of State).

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., January 23, 1959.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: This will reply to your letter of January 15, 1959, requesting the Bureau of the Budget's views on H.R. 50, H.R. 888, and H.R. 954, bills to provide for the admission of the State of Hawaii into the Union.

The President has strongly urged the enactment of legislation to admit the Territory of Hawaii into the Union. The President stated in his annual budget message transmitted to the Congress on January 19, 1959, that it would be unconscionable if this action were delayed any longer. We believe that Hawaii is fully prepared to assume the responsibilities that go with statehood and should be permitted to take its rightful place as an equal member of the Union.

It is noted that H.R. 888 and H.R. 954, which are identical bills, contain a number of technical language changes developed by committee staff with the co-operation of the Department of the Interior. H.R. 50 appears to be based on an earlier draft of the bill and does not contain these changes.

Section 7(d) of H.R. 50 and section 15 of H.R. 888 and H.R. 954 would continue in force and effect all Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union, except as modified or changed by the Statehood Act or the State constitution. Territorial laws would be subject to repeal or amendment by the Legislature of the State of Hawaii. "Territorial laws" are defined to include "all laws or parts thereof enacted by the Congress, the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union."

The purpose of the foregoing sections of H.R. 50, H.R. 888, and H.R. 954 is to assure necessary continuity of laws until such time as the legislature of the new State can enact laws for control of its internal affairs. The definition of "Territorial laws" as including laws enacted by the Congress for the government of the Territory may have the result, in some instances, of continuing Federal responsibility for the administration of laws regulating intra-State commerce. While it may be highly desirable that Federal officials continue administration of such Territorial laws for a transitional period, considerable confusion might arise if the termination of Federal responsibility were left solely to future action by the State legislature. We suggest, therefore, that the section be amended to make clear that such Federal responsibility will cease either on a date specified in the Statehood Act, or on the effective date of any law enacted by the State legislature which modifies or changes such Territorial law, whichever occurs first.

The Bureau of the Budget supports the objectives of H.R. 50, H.R. 888, and H.R. 954, and you are hereby advised that the enactment of legislation to provide for the admission of the State of Hawaii into the Union would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Mr. O'BRIEN. I have here a telegram from the Government of Hawaii in connection with the legislation pending before us. It is rather brief and without objection that too will be made a part of the record at this point.

Mr. ROGERS. Mr. Chairman, is that for or against statehood?

Mr. O'BRIEN. I did not read it very carefully, Mr. Rogers, but I would assume it is for.

Mr. HALEY. Mr. Chairman, if I am holding up the proceedings can we come back to this?

Mr. O'BRIEN. Yes. Without objection we will come back and we will postpone temporarily additional proposed insertions in the record so we may proceed with the testimony.

Mr. ROGERS. May I ask one question?

Mr. O'BRIEN. Yes.

Mr. ROGERS. How much time do you intend to consume in these hearings?

Mr. O'BRIEN. I am very, very much impressed by the caliber of this committee this year and I would think that 2 or 3 days would give us all the time we need for hearings. On the marking up of the bill that is another question.

Mr. ASPINALL. Will the gentleman yield to me?

Mr. ROGERS. Yes.

Mr. ASPINALL. So far as I understand it, Mr. Chairman, there are very few requests to be heard. Is that correct?

Mr. O'BRIEN. That is correct, very few requests to be heard in person. A number of people have or will send statements for inclusion in the record.

A number of Members of the House have introduced legislation on this subject and one of these is the very distinguished Majority Leader of the House John McCormack. I think it would be very nice for us to hear from Mr. McCormack at the outset.

Mr. MCCORMACK. Thank you very much, Mr. Chairman.

Mr. HALEY. I withdraw my reservation.

Mr. O'BRIEN. Without objection, the telegram from the Governor of Hawaii will be made a part of the record.

(The telegram follows:)

WASHINGTON, D.C., January 24, 1959.

HON. WAYNE ASPINALL,
*Chairman, House Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.:*

The people of Hawaii greatly appreciate your efforts to move our statehood bills quickly. The support demonstrated by you and many other committee members is most gratifying. Pursuant to request of Delegate Burns, I am sending short statement of present and prospective economic condition of Hawaii. I believe I should make my views on some of the provisions of the pending bills known to you. I will refer to H.R. 888 which I understand is the same as H.R. 954 since the substance of these bills will probably be considered. Our people are opposed to any provision which would permit an enlargement of military use of land, particularly on Oahu, because of land shortage and present large military holdings. Therefore, we would prefer additional limitations on section 5(d). However, we are pleased with section 5(e) giving us 5 years to recover federally controlled but unneeded lands. If section 5(d) must remain, suggest insert after word "section," line 2, page 5, the words "and that remains the property of the State" so as not to impair States right to dispose during 5-year period. Section 5(h) as now drafted might permit uncompensated Federal taking without State consent with no time limit if military installation, which is critical area, is affected. I do not believe this broad provision belongs in public lands section. Urge that section 5(h) be amended by deleting from word "or" through words "laws," line 2, page 7, and ending subsection with word "effective," line 3, page 7. The provision nullifying present U.S. laws reserving right to alter Territorial laws should be inserted in line 4, page 19, with an exception for the Homes Commission Act. The balance of section 5(h) is well covered in section 16(b) and particularly starting line 18, page 21. I hope these suggestions will not impede hearings. I am aware that you invited no Territorial witnesses because of wealth of prior testimony. I am of course ready to supply you with additional information you might desire in person or otherwise.

WILLIAM F. QUINN, *Governor of Hawaii.*

Mr. HALEY. If the gentleman will allow me, I might make the observation that the Governor in his telegram indicates that no Territorial witnesses have been requested to appear and he says he stands ready to come here and testify.

Mr. O'BRIEN. Yes.

STATEMENT OF HON. JOHN W. McCORMACK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. McCORMACK. In accordance with the suggestion of Chairman Aspinall and Chairman O'Brien, I am going to make my remarks very brief. I am going to ask unanimous consent that my full statement be made a part of the printed hearing.

Mr. O'BRIEN. Without objection, it is so ordered.

(The statement referred to follows:)

Mr. Chairman, in the last Congress, Alaska came of age; it is now long past the hour to end Hawaii's apprenticeship. It is an indisputable fact, that Hawaii meets the traditional threefold test of eligibility for statehood.

Before analyzing Hawaii's eligibility, permit me to remind my colleagues of the three basic requirements demanded by tradition and precedent for admission. First, the people of the Territory must evince love for the ideals of American democratic government. Second, a majority of the electorate must express a clear desire for statehood. And third, the Territory must possess sufficient resources and population to support the cost of State government. I shall demonstrate that Hawaii has passed these tests with high honors.

The Hawaiian people have been drawn to America almost from the very dawn of their modern history. In 1820, 17 New England missionaries arrived in the archipelago; and before the passage of many years the natives in large measure were converted to Christianity and made familiar with the ways of the West. White whalers, traders, speculators, and sugar planters migrated to the islands in progressively greater numbers.

By 1842, five out of six ships calling at Hawaii were American; and Yankee cultural influence, despite strong British competition, rapidly assumed predominance. In 1840, a constitution modeled in part after that of the United States was adopted. Fourteen years later the people of this constitutional monarchy urged their king to negotiate for annexation to the United States. He complied, but the project was abandoned with his untimely death.

In 1893 Hawaii became a republic, and negotiations for annexation were immediately undertaken. A treaty linking the two Republics was soon fashioned, but it was withdrawn from the American Senate by President Cleveland, who had not been in office when the Hawaiian revolution erupted and who disapproved of what he considered the "unseemly" haste by which the annexation convention had been drafted.

Four years later a new treaty of annexation was signed, but it, too, failed of ratification. Finally, sponsors of the treaty abandoned it in favor of submitting to Congress a joint resolution of annexation, the passage of which required only a simple majority vote. The resolution was approved, and President McKinley signed it on July 7, 1898. Two years later, on April 30, 1900, the Organic Act for Hawaii was approved (to take effect June 14, 1900), and Hawaii thereby became an incorporated Territory.

Since 1903 the Hawaiian Legislature has petitioned Congress for statehood nearly a score of times; and from 1920 to the present time, approximately 50 bills providing for statehood have been introduced in successive Congresses. In 1947 substantive, if incomplete, action was finally taken. On June 30 of that year the House passed the statehood bill, but it died in the Senate. The same melancholy story was repeated on March 7, 1950, and March 10, 1953.

In 1954 the Senate saw fit to combine the Alaskan and Hawaiian statehood bills, and on April 1 of that year approved the dual measure. There are some who still maintain that passage was obtained only because assurance had been given the antistatehood bloc that the House would reject the joint bill, despite the fact that House support for Hawaiian admission alone was overwhelming. Whatever the reason, the prophets of disaster were vindicated.

In 1955, during the succeeding Congress, another dual bill was introduced, this time in the House. On May 10 of that year it was recommitteed. This year there is before us only the single Hawaiian bill; let us pray that it will meet with a deservedly kinder fate.

Let us turn now from the representatives of the people in both Hawaii and the United States to the respective peoples themselves. In a 1940 plebiscite, the Hawaiian people voted 2 to 1 for statehood. A decade later they approved the proposed State constitution by more than a 3 to 1 majority. As for the views of

mainland Americans (incidentally, the Hawaiians, of course, are just as much American as you and I), Dr. George Gallup has found that a decisive majority has supported statehood ever since pre-World War II days. More recently, the ratio of approval has jumped from 3 to 1 in 1946 to 8 to 1 in August of 1958.

We know that Hawaiians and their compatriots in the States want statehood.

But are we sure that the islanders are "loyal" enough and "Americanized" enough to deserve such status? I say that the question was answered affirmatively long ago, and particularly so during World War II and its aftermath.

Immediately after the infamous assault on Pearl Harbor, rumors were rife, especially in the States, that Americans of Japanese ancestry engaged in the most heinous sabotage, even designating targets for the attacking planes. Mr. Robert L. Shivers, former special agent in charge of the Federal Bureau of Investigation in Honolulu from 1939 to 1943, gave the lie to such calumnies. He testified that "all those rumors were false * * *" and that "sabotage and fifth-column activity was never engaged in at any time prior, during, or subsequent to the attack on Pearl Harbor."

Perhaps even more eloquently expressive of Japanese loyalty was the story of the 442d Combat Team and the 100th Battalion. The combined record of these units is probably the most remarkable one in all American military annals. Approximately 10,000 men, most of whom were Japanese from Hawaii, saw action in Europe with the famed outfits. Of these, 4,500 received Purple Hearts. The quantity, as well as quality, of other awards is equally impressive, particularly the 353 Silver Stars and 112 Army and division commendations. Crowning their glory was the fact that not a single one of these boys displayed the slightest cowardice. It's true that three of them went a.w.o.l.—from their hospital beds back to their foxholes.

The unmatched record of the Hawaiian soldier remained untarnished throughout the Korean conflict. Not a single case of cowardice or defection to the enemy was recorded. The battle casualty rate for Hawaiians was three times as great as the rate per capita for stateside contingents.

One might well ask, in connection with statehood, So what? No one questions that the Hawaiians were brave, but does courage alone entitle a people to statehood? No, it doesn't; but it does prove that those "go for broke" Americans loved their country with an awesome passion. And certainly patriotism must constitute an integral part of any legitimate concept of Americanism.

Other manifestations of similarity with things American are widely prevalent. Despite the oriental heritage of large segments of its population, Hawaii's culture, for the most part, is American. And Hawaiians, regardless of ancestry, look to the West for guidance and emulation. Whether it be business, education, sports, politics, or mores, the pattern is always, and unmistakably, American.

Further evidence of the deep-seated Americanism of all Hawaiians—not merely the Japanese—lies in their chilly reception of the commonwealth ideas. They refuse to trade what they consider their birthright for tax exemption. In other words, they insist on being recognized as first-class Americans, and demand the right to assume all the obligations that such a cherished condition would entail.

The Hawaiian people, I'm sure, are also aware that the imposition of commonwealth status would, in all probability, be unconstitutional. In *Downes v. Bidwell*, the Supreme Court of the United States declared that "where the Constitution has been once formally extended [in all its parts, both fundamental and formal] by Congress to Territories neither Congress nor the Territorial legislature can enact laws inconsistent therewith." Mr. Justice Brown, in *Rasmussen v. United States*, another of the famous Insular cases, asserted that "the extension of] the provisions of the Constitution * * * once done, is irrevocable." It follows, then, that those who would remake Hawaii in the image of Puerto Rico are at least disingenuous when they extol the benefits Puerto Ricans derive from Federal tax exemptions. As an incorporated Territory, Hawaii is subject to section 8 of article 1 of the Constitution, which provides, in part, that "all duties, imposts, and excises shall be uniform throughout the United States." It is doubtful, to say the least, that Congress has the power, under the Constitution, to exempt the citizens of Hawaii from the applicability of this uniformity clause.

It might well be, too, that the Hawaiian people are cognizant that the promise of statehood—at least by implication—was tendered them long ago. Of the 31 incorporated Territories in our history, all but Hawaii have graduated to statehood. From a legal or constitutional standpoint, Hawaii is no different from its more successful predecessors. The Federal courts repeatedly have said that incorporation leads to statehood. In 1883, an incorporated Territory was defined in *Ex Parte Morgan* as an "inchoate" State. About 40 years later, in *Balzac v.*

People of Porto Rico, among many similar cases, the Supreme Court asserted that "incorporation has always been a step, and an important one, leading to statehood." Admittedly, the organic act establishing the Territory of Hawaii did not explicitly promise statehood; yet it must at the same time be conceded that precedent and judicial opinion, whether dicta or not, alike have considered Territories as destined for statehood after a reasonable period of tutelage. It would seem that 59 years is long enough.

It behooves us to heed the Hawaiian argument that statehood for the other 30 incorporated Territories has never resulted in failure. Almost without exception, those Territories experienced an immediate and marked expansion in population and in agricultural or industrial development following their admission into the Union. Above all, the people of those new States demonstrated that when they were their own masters, progress recognized no shackles.

The third requirement for statehood—the ability to pay for statehood—poses no problem for Hawaii. The islands constitute, in terms of financial solvency, the richest Territory ever to knock on the statehood door. The gross Territorial product of Hawaii for 1957 was about \$1¼ billion, a figure twice as large as that of any other State at the time of its admission. In 1956 the per capita income exceeded that of 26 States, while the per capita tax burden was higher than that of 33 States.

Hawaii's population, estimated in 1958 to total 569,504, is larger than that of any one of five States, and is more than twice that of Alaska. It is also larger than that of any State at the time of admission except Oklahoma.

Now that it has been established that Hawaii merits statehood, it is in order to examine the principal benefits that would accrue to the people of Hawaii under statehood. They may be listed as follows—and no rights were ever more precious: (1) the right to full voting representation in both Houses of the United States Congress; (2) the right to vote for the President and Vice President; (3) the right to choose their own Governor and to carry on functions of government by their own elected officials instead of by Federal administrators; (4) the right to determine the extent of the powers of their own legislature; (5) the right to have their judges locally selected rather than federally appointed; (6) the right to have Federal and local jurisdictions clearly defined and separate; (7) the right to a voice in any proposed amendment to the Federal Constitution; and (8) the right to help write the Federal taxes. Can any reasonable person deny that these rights are basic to the American way of life; or that so long as they are withheld, no citizenship can be first-class?

Benefits to the Nation as a whole would also be substantial. Among these would be: (1) enhancement of national security; (2) favorable psychological effect on the peoples of the Pacific Basin; and (3) inspiration to racial harmony on the mainland.

The strategic importance of Hawaii is obvious, especially so now that our Pacific military commands have been enlarged and moved to Oahu. Headquarters for the commanding general, United States Army Forces Pacific, are at Fort Shafter, in Honolulu.

Statehood opponents concede that Hawaii is strategically vital, but they profess to see no relevancy between military considerations and the statehood issue: statehood, they argue, would have no effect one way or the other on our future defense posture in the Pacific. Apparently they are all materialists; things of the spirit escape them. I say to them that the greater stability afforded local government and the greater popular pride in full citizenship under statehood would enable the Armed Forces to be supported materially in time of war more effectively from the twin standpoints of local economic assistance and local civilian cooperation. And the will of the people themselves to fight, should total war ever become our lot, would be immeasurably strengthened were they called upon to defend their own State—and not a colony.

I reply to the isolationists and the racists who sneer at world opinion and deny any need to impress the East with such a meaningful demonstration of the dynamism of democracy as the elevation of Hawaii to statehood would present, with the observation that the American people have indicated that in these parlous days it's a pretty good idea to miss no bets in the pursuit of friends.

Hawaii justifiably has been called the melting pot that melts. Although its people comprise diverse blood strains, the Territory has a unique record for interracial harmony and cooperation. With the closer association between the islands and the mainland which would accrue from statehood, continental Americans would become more acutely aware of the degree to which democracy

is practiced in Hawaii. The example assuredly would have a salutary effect on race relations throughout the States.

The reasons for statehood as outlined above surely dwarf the importance of the opposition's arguments. Chief among these are the alleged dominance of communism in Hawaii, and the disproportionately large representation that Hawaii would enjoy in the Senate of the United States.

The communism scare is strictly a phony. The constitution of Hawaii, which the people themselves drafted a decade ago, disqualifies Communists from holding any public office. And dock strikes, which formerly were both embarrassing and damaging, have been rendered impotent by the enactment of a law enabling the Territory to seize and work the docks.

As for disproportionate representation, that question was resolved, legally and constitutionally, in the Connecticut Compromise of the Federal Convention of 1787.

Hawaii has met all the arguments, and they are hers.

I strongly urge this committee to act favorably on legislation to admit Hawaii as a State of the Union. I shall program the bill after it is reported for as early consideration by the House as is possible.

Mr. McCORMACK. Mr. Chairman and members of the committee, in the last Congress Alaska came of age. It is now long past the hour to end Hawaii's apprenticeship. It is an indisputable fact that Hawaii meets the traditional threefold test of eligibility for statehood to wit: First, the people of the Territory to meet the three tests of eligibility must evince sympathy and love for the ideals of American democratic government. And there is no question about that so far as the people of Hawaii are concerned. We have the evidence of that in the tremendous strain under which the Americans of Japanese ancestry served during World War II with outstanding valor and we have the record of their large percentage of casualties, both killed and wounded in their loyalty and love of America and the service that they rendered during World War II—and we can all appreciate the fact—under most trying circumstances, because one cannot forget the land of the birth of their forebears, whether it is Japan, Germany, Ireland, or any other country, there are those ties that go back even when generations might separate them.

Second, a majority of the electorate must express a clear desire for statehood. There is no question about this in the case of Hawaii. The evidence is indisputable in this respect and to review it would only be taking the time of the committee.

Third, the Territory must possess sufficient resources and population to support the cost of State government. There is no question of that in the case of Hawaii.

The first two tests I shall set forth in my statement and I will make a brief reference to the third test because I know that plays a very important part in the minds of Members of Congress, based upon past experiences I have had with the Members of Congress in connection with resolutions coming before us for the admission of a Territory as a State of the Union.

The third requirement of statehood is the ability to pay for statehood. This poses no problem for Hawaii. The islands constitute in terms of financial solvency the richest Territory ever to knock on the statehood door.

The gross Territorial product of Hawaii for 1957 was about \$11¼ billion, a figure twice as large as that of any other State at the time of its admission.

In 1956 the per capita income exceeded that of 26 States at present in the Union, while the per capita tax burden was higher than that of 33 States.

Hawaii's population was estimated in 1956 to total 569,504, and is larger now, probably several thousand larger now, is larger than any one of five States and is more than twice that of Alaska. It is also larger than that of any State at the time of admission except Oklahoma.

Now that it has been established that Hawaii merits statehood, it is in order to examine the principal benefits that would accrue to the people of Hawaii under statehood. They may be listed as follows—and no rights were ever more precious:

1. The right to full voting representation in both Houses of the U.S. Congress;
2. The right to vote for President and Vice President;
3. The right to choose their own Governor and to carry on functions of government by their own elected officials instead of by Federal administrators;
4. The right to determine the extent of the powers of their own legislature;
5. The right to have their judges locally selected rather than federally appointed;
6. The right to have Federal and local jurisdiction clearly defined and separate;
7. The right to a voice in any proposed amendment to the Federal Constitution; and
8. The right to help write the Federal taxes.

Can any reasonable person deny that these rights are basic to the American way of life or that so long as they are withheld no citizenship can be first class?

Mr. Chairman, I am not going to take any further time because, as has been stated by both chairmen, the printed hearings of the Congress are replete with arguments for and against the admission of Hawaii as a State of the Union, arguments made in the past that are not so pertinent today as they might have been at that time, and anything I might say further would be imposing upon the committee's time and I think would be unnecessary.

I have always, since I have been a Member of Congress, been a strong advocate and supporter of the admission of Hawaii and Alaska as States of the Union. I am so happy that I was a Member of Congress while Alaska was admitted. I think that is one of the historic events of the 85th Congress. It will make me very happy if, before I get through Congress—and I expect it will happen and I confidently predict it will happen in the 1st session of the 86th Congress—I see Hawaii admitted as a State of the Union.

I strongly urge favorable action by this committee in reporting out a statehood bill for Hawaii and I can assure the committee that I will cooperate in every way possible in bringing it up as quickly as possible in the House after the committee has reported the bill.

Thank you very much.

Mr. O'BRIEN. Thank you, Mr. McCormack. We appreciate your taking your time in a very busy schedule. We appreciate not only your statement but particularly the last part of it.

Thank you, Mr. McCormack.

Mr. BERRY. Mr. Chairman?

Mr. O'BRIEN. Mr. Berry.

Mr. BERRY. Congressman Halleck, the minority leader, has requested permission to appear as a witness. May I ask unanimous consent that his statement may appear in the record at this point?

Mr. O'BRIEN. Without objection, it is so ordered.

(The statement follows:)

STATEMENT OF CHARLES HALLECK, MINORITY LEADER

Mr. Chairman and members of the committee, I come before you today to urge that you start statehood for Hawaii legislation on the way toward final enactment by the 86th Congress. The last Congress granted statehood to Alaska and I do not believe there can be any valid claim that Hawaii is not equally qualified for and deserving of statehood from the present Congress.

Hawaii become an organized Territory 13 years before Alaska. Her population is about three times as great as that of Alaska. No argument can be made that her economy cannot support statehood.

Statehood has been the destiny of these islands for more than 100 years. It was in 1854 that the Hawaiian people first petitioned their monarch to seek annexation to the United States. In 1898, Hawaii did become an integral part of the United States. During debate on the Hawaii Organic Act in the Congress in the year 1900, an amendment was offered which would have had the effect of declaring it to be the intent of Congress that nothing in the act should be construed as being a pledge of ultimate statehood for Hawaii. This, a House amendment, was defeated and a similar one in the Senate was lost on a point of order.

The very fact that such an amendment was deemed necessary by its sponsors back there in 1900 demonstrates that, prior to the annexation of Hawaii, no incorporated Territory had been acquired by the United States whose manifest destiny was not to become a State.

But here we are, 59 years later, with Hawaii still in the status of a Territory.

Mr. Chairman, from the standpoint of this country's world prestige, particularly in the Far East and the remainder of Asia, it is now more important than ever, with the admission of Alaska, that we act immediately to also grant statehood to Hawaii. We must give equal treatment to the Americans of Hawaii or suffer the consequences of charges of discrimination on racial grounds. And in that connection, let us not forget that 85 percent of the people of Hawaii are native-born American citizens.

I think it most appropriate that I call the attention of the committee to the fact that the House of Representatives has passed a Hawaii statehood bill on no less than three previous occasions. The first time by the 80th Congress, by a vote of 196 to 133.

Again, in the 81st Congress, the House approved statehood for Hawaii, this time by a vote of 262 to 110. In the 83d Congress, Hawaiian statehood again won the approval of the House, by a vote of 274 to 138.

On these previous occasions, Hawaii statehood did not meet with equal success in the other body. Once, however, in the 83d Congress, the Senate did also pass a Hawaii bill but they added Alaska statehood to the same bill. That was the closest Hawaii has ever come, but they lost out then because a request for a conference by the other body was objected to in the House in the last stages of the session.

Mr. Chairman, this review of the history of Hawaiian statehood legislation certainly should prove to all of us that we do not lack precedents as we again take this matter up in the 86th Congress.

There can be no doubt of popular support for Hawaii's cause. National public opinion polls have always demonstrated that the people of this country are overwhelmingly in favor of statehood for Hawaii. With rare exceptions, the Nation's press has editorially come out for Hawaiian statehood. In fact, after we gave statehood to Alaska last year, there was a tremendous and spontaneous flood of editorial demands from all over the country that Congress act immediately to also admit Hawaii.

Mr. Chairman, I am going to close my remarks by again referring to the action of the House on statehood for Hawaii in the 83d Congress. I was privileged at

that time to serve as majority leader in this body. I think the record of what we did then on Hawaiian statehood will be particularly interesting to the new members of your committee and to the entire House.

On March 3, 1953, your committee reported out a bill to admit Hawaii as a State of the Union. Only 3 days later, on March 6, the Rules Committee sent the bill to the floor. And it was only 4 days after that, on March 10, that the bill was approved by the House, as I said before, by the overwhelming margin of 274 to 138.

Now, as the elected leader of my party in our honorable body, I would like to see that record matched or beaten in this year of 1959. I assure this committee of my vigorous support of statehood for Hawaii and ask that you send a bill to accomplish that purpose to the floor of the House with all dispatch. Thank you.

Mr. O'BRIEN. Are there any other Members of Congress who have statehood bills before us who wish to file statements or to speak briefly?

STATEMENT OF HON. ROLAND D. LIBONATI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. LIBONATI. Mr. Chairman and members of the committee. I realize, being a neophyte, that anything I might say here has been thoroughly discussed in an analytical sense relative to the admission of a State to the Union.

After all, Congress acts purely as the machinery of government toward this accomplishment—granting admission upon the manifest approval of all of the people of the United States. It should not be determined in Congress by sectional division based on political or racial bias.

Hawaii has contributed much to the defense of the Union. Hawaii is a strategic place. We are spending millions of dollars upon various geographical sites for the protection of America. How can we now deny people of the Republic, who are stepcitizens or secondary citizens, the right to what they have earned—a voice in Government?

I say to you that we, as servants of the people, can only analyze this question from the standpoint of what is the fundamental belief of each citizen of the United States relative to the entry of Hawaii; and I am sure that the public press and other disseminators of information (the radio and television), have indicated to us that the people of American are asking that you admit Hawaii into the Union; that you facilitate this matter; that you create, in Hawaii, a spiritual and cultural feeling of contribution to the common cause of the United States; that you, in your honest endeavors, set aside any political question or any question based upon the contribution of the economy of Hawaii to this great Government.

On the other hand, the people of America are asking that you admit Hawaii because they are fellow Americans; that they have a common interest; that they have a constitution similar to our own; that they are a proud State, too, except that, as a Territory, we gave them the opportunity to work toward the successful accomplishment, in the future, of becoming a State in the Union.

Some of us seem to feel that it is a personal opinion for determination, or is related to political questions of our state, or on consideration of financial factors, each contributing to a background which might negate or approve the acceptance of Hawaii.

This is a national question—whether Hawaii as a State in the Union will contribute to the common cause of the American citizenry in

maintaining its democratic institutions and establishing a firm government.

You cannot deny Hawaii the right to participate in our governmental affairs. In order that she might participate, you must recognize her as a State. It is an edict already determined by the American people.

I thank you very much.

Mr. O'BRIEN. Thank you, Mr. Libonati.

Are there any other Members of the Congress present?

If any other Members of the Congress desire to submit statements—and I have two here—they will be accepted at this point in the record.

Without objection, it is so ordered.

(The statements follow:)

STATEMENT BY REPRESENTATIVE EDITH GREEN OF OREGON

Mr. Chairman, I am grateful for this opportunity to put my views on Hawaiian statehood before you and the distinguished members of this committee. I am especially anxious to address myself to the newly appointed members. As those of us who have had the privilege of serving on this committee in the past are aware, the question of Hawaiian statehood is not one upon which the committee and the House lack information. The hearings, the debates on the floor of this House and in the other body, the long crusade by many distinguished American newspapers—in all these ways the facts, the merits, and alleged defects of Hawaiian statehood have been discussed, examined, and considered from every conceivable angle. In the light of this truly monumental accumulation of facts upon which the Congress may base its judgment, I am sure that committee action will not be long in coming, and that action—favorable action by the House and in the other body will be one of the bright spots of this 86th Congress.

I have always supported Hawaiian statehood, Mr. Chairman. But this year I feel a particular interest in the matter. For this year is the 100th anniversary of the admission to the Union of my own State, Oregon. Because of the imminence of that centennial, I have, as have many of my fellow Oregonians, been reading and thinking about the infancy of my own State. Like Hawaii, Oregon was noncontiguous Territory in 1859. But then the problem of noncontiguity was a real one. Oregon was separated from the rest of the Nation, not by an ocean which could be flown over in 8 hours, but by dangerous and forbidding country, little known and justly feared even by the brave Americans who dared to traverse it in the hope of finding a new home in the Far West. Oregon's links with the Eastern States were not links of copper wire, steel rail, and concrete highways. They were treacherous rivers, windswept mountain passes, trails to be traversed on foot, or horse or wagon.

When Oregon had been admitted to the Union, her people elected delegates to the 1860 national conventions of both parties. The Democratic delegates, for the most part, were men whose presence in Washington enabled them to travel easily to Charleston, S.C., for that meeting. But the delegates to the Republican Convention were men chosen from among the people in the new State. The distance was so great that few, if any, of those first delegates were able to get to the convention, and their votes had to be cast by proxy. Oregon is rather proud of the fact that one of her first delegates to a national party convention was the famous New York City editor, Horace Greeley, who voted one of the State's proxies in the Republican Convention in Chicago—the convention which named Abraham Lincoln as a candidate for the Presidency.

So, Mr. Chairman, the arguments of noncontiguity, which had been raised vehemently in the prolonged debates which preceded the admission of Oregon, are arguments with which I am not unfamiliar. I am no more impressed by these arguments as applied to Hawaii than our forebears of a century ago were impressed by them as applied to Oregon.

There were other arguments raised in that early antistatehood filibuster, of which we hear the echoes now. It was stated that Oregon could never support a sufficient population to bear the burdens of statehood. It was suggested, though not often in the open light of debate, that if Oregon were admitted, this would mean more votes against slavery in the Congress. It was suggested that

Oregon's people were too heterogeneous a group to fit in with the American way of life. It is intriguing, Mr. Chairman, to note that among the numerous ethnic groups present in Oregon 100 years ago were not only the Canadians, as the French-speaking mountain men were called, and the English-speaking Americans of many national extractions, but also a not unimportant settlement of Kanakas—natives of the Hawaiian Islands, who had manned American whaling ships and found the beautiful Oregon coast to their liking. The Owyhee River country, in eastern Oregon, is simply a 19th century spelling of Hawaii.

So, Mr. Chairman, we in Oregon are familiar and we have continued to be familiar with the invalidity of the charge that strange peoples cannot become an integral part of the American way of life. Our Chinese and Japanese communities in Oregon are sources of real pride to our State. We in Oregon know that the argument, seldom voiced, but always present, that a Ching or a Nomura cannot be a good American is completely without basis, and that it is an argument unworthy of the American tradition.

Mr. Chairman, I have given careful study to the question of Hawaiian statehood. I have read the hearings that have been held. I have read articles in nonofficial publications, both those of a prostatehood turn and those written by opponents of statehood. I have read carefully the debates on the floor of both Houses of the Congress when this question has come before us. I have come to the unalterable conclusion that the question of statehood is one of the clearest and most unequivocal moral issues to come before the Congress during my 4 years here.

The people of Hawaii, Mr. Chairman, are American citizens. Their beautiful land is an integral part of our great Nation. These people pay their share of the taxes which we impose. Their people have fought beyond what could be expected of them in the wars which this Congress has supported. They have performed every duty which citizenship imposes. They have obeyed, willingly and without resentment, laws in the making of which they have no voice. They have shown a patience, a devotion to their Territory and to their Nation which, in a time of surging nationalism, is almost beyond belief. We, in the Congress, may legitimately say that the people of Hawaii have done no more than their duty to the freest Nation in the world.

We may say, rightly, that Territorial status under American rule is the very antithesis of colonial bondage, either under the older forms of European colonialism, or the newer and more subtle form of Soviet colonialism. All these things we may say with pride. But we cannot evade the fact that we are denying, for no legitimate reason at all, the rights of American citizens—the right to a voice in making the laws that govern them and choosing the men who lead them, to Americans whose duties have not been shirked and whose patriotism cannot be exceeded.

Mr. Chairman, 100 years ago, a farsighted Congress gave statehood to a struggling community on the Pacific coast. I think that that venture in state-making was not proven a failure. We have done the same thing a total of 36 times. In no case has the Union been anything but enriched and strengthened as we have added to the Federal family. Let us then, once more, show our faith in our own past and our even greater faith in our future. Let this be the last year in which Hawaiian statehood must come before the Congress of the United States.

STATEMENT OF HON. J. ARTHUR YOUNGER

I favor granting statehood to Hawaii for the following reasons:

(1) It seems to me that it carries out an implied promise when the islands voluntarily joined the United States as a Territory which some day could hope to be a State.

(2) They have both the population and the tax base to adequately support a State and I am sure they will not be coming to the Federal Government for financial assistance, nor will they be applying for special consideration not granted in the 48 contiguous States of the Mainland.

(3) I am sure the Federal Government will not be undertaking any additional financial or protective burdens than they now have in connection with Hawaii as a Territory.

I sincerely hope that your committee will promptly favorably report a statehood bill for Hawaii.

STATEMENT OF REPRESENTATIVE WILLIAM A. BARRETT

Mr. Chairman and members of this committee: The Territory of Hawaii is ready for statehood, a status for which she has been preparing for more than half a century. Our only remaining incorporated Territory has come of age politically, economically, and culturally.

In the first place, the Hawaiian people are fiercely proud of their American citizenship and insist on the fulfillment of the promise of statehood tendered them more than 50 years ago. Secondly, we could not detach Hawaii from our body politic even if we wanted to. The Supreme Court has affirmed time and again that an incorporated Territory is an integral part of the United States and as such has no more right to secede from the Union than does a State. And thirdly, Hawaii's position in the Pacific is indispensable to our national security.

Strategic considerations, which are not confined strictly to things martial, indicate that Hawaii, as the 50th State, would do much to enhance our awareness of Pacific affairs and serve as an administrative center for our growing business as well as military interests in that region. As a cultural and political bridge to the Orient, Hawaii would promote the mutual understanding of and insight into the problems which face the United States and its neighbors—friendly and otherwise—in the Far East. Admission would, in itself, go far in this direction: The fear of a "white supremacy" policy of the United States towards Asia would be largely dispelled in the minds of reasonable men while, at the same time, the American concept of democracy would be given infinitely wider currency.

Reason, justice, and self-interest combine to demand an immediate, and long-overdue, admission to the American family of States.

STATEMENT OF REPRESENTATIVE T. J. DULSKI OF NEW YORK

I am deeply grateful to the chairman and the distinguished members of the Interior and Insular Affairs Committee for giving me the opportunity to express my views favoring Hawaiian statehood.

To be or not to be—that is the question. Will Hawaii become the 50th star in the flag of the United States? Or will she be treated as our only stepchild?

We in the United States pride ourselves on being a land of justice. I feel that, as a matter of justice, Hawaii meets every historical standard we have required for the admission of new States. Hawaiians have been immersed in American traditions since 1820. They have demonstrated their devotion to the principles of democracy and to the American form of government in numerous ways, including the adoption of a constitution, in 1950, which has been commended as a model among such instruments.

The Hawaiians paid over \$150 million in Federal taxes—a sum larger than that paid by some of our States in the Union. One can only go back into the early history of this country—"Taxation without representation." The people of Hawaii have no voice as to the levy of taxes or its expenditures.

In 1950 about 84 percent of the Hawaiians were native-born American citizens. The record of island troops in combat is impressive testimony to their loyalty. Gen. Mark Clark described the Hawaiian organization as "the most decorated unit in the entire military history of the United States." They served with equal valor in Korea.

Here is a colony bearing arms with us, but it cannot vote for the President who patterns their foreign policy.

That the majority of Hawaiians desire statehood is unquestionable. In 1940 they voted 2 to 1 for admission. In 1950 they approved the proposed State constitution by more than 3 to 1.

Hawaii has first-class qualifications insofar as population and resources are concerned. It has more people than five of the present States; more than twice as many as Alaska. It has a well-developed and prosperous economy. Its citizens support a per capita tax burden considerably higher than the national average—larger, in fact, than in 33 States.

Hawaii richly merits statehood as a matter of equity as well as justice. Permanent political inferiority for American citizens in American Territories is simply too foreign to our ideals to be tolerated for long. Hawaii is the only incorporated Territory not yet welcomed into the Union. It has been petitioning

for entrance since 1903. It has more people and a better developed economy than Alaska, our newest State. Both political parties have, in their platforms, approved Hawaiian statehood. Both President Eisenhower and former President Truman are for it. According to recent polls, the people of the United States are also for it by a ratio of more than 4½ to 1.

Finally, as an act of diplomacy, the admission of Hawaii would be of incalculable value. It would reverberate to our credit throughout the Far East. It would stand as an irrefutable proof that we really live by the principles of freedom and self-government we preach.

For these and many other reasons, I shall, in Congress, support passage of a Hawaiian statehood bill.

STATEMENT OF REPRESENTATIVE EDWIN B. DOOLEY OF NEW YORK

Mr. Chairman, permit me to express my deep sense of appreciation for being permitted to state my views on the important subject of Hawaiian statehood before the distinguished members of this committee.

Anyone who has visited Hawaii is aware that topographically, geographically, and climatically it is one of the earth's most beautiful and attractive areas. Any nation should be proud to have as part of itself a segment of land so beautifully endowed.

I am firmly convinced that Hawaii should be admitted as the 50th State of the United States for the following reasons:

(1) Situated as it is, midway in the north Pacific, it provides a bastion of air, naval, and military strength, as well as a strategically located base for missiles.

(2) It is the only haven for large ships, and jetplanes, between our west coast and Asia, approximately 6,000 miles away.

(3) It has a population of 575,000 persons, the majority of whom, judging by surveys and petitions, are eager for statehood.

(4) Since 1900 (1898) when Hawaii ceded its sovereignty to the United States, it has had second-class citizenship. Its citizens have never had the privilege of voting for a President, despite the fact that they pay taxes and are subject to the laws of the United States. Hawaii does not participate in the National Defense Highway Act of 1956 on the same basis as do the States, despite the fact that Hawaiians pay a fuel tax.

(5) No Territory in our history has possessed the advantages which Hawaii does in the way of population, a sound economy, a system of town government patterned after ours, and a sense of loyalty to the United States. As an example of Hawaiian loyalty one has but to recall that during World War II when the Nisei regiment was almost wiped out in Europe, it was reformed in Hawaii. Some 2,000 volunteers were requested to report. Instead some 9,000 Americans of Japanese origin offered to join up, knowing full well it meant almost certain death in battle.

(6) While 34 percent of the population of the islands is Japanese, they are intensely American. They speak only English and are eager to become full-fledged citizens.

(7) Today, with the currents of history flowing toward Asia, it would be immensely helpful if the United States were to admit Hawaii as a State. By so doing we would show the world that we are not averse to offering political equality to Asiatics. We would have a strong bridge with the people of the yellow race.

By making Hawaii—which is composed of heterogeneous people of Polynesian, Philippine, Japanese, and Oceanic origins—a State, we would be adding strength and vitality to our country.

STATEMENT ON STATEHOOD FOR HAWAII PRESENTED BY REPRESENTATIVE RUSSELL V. MACK OF WASHINGTON

Mr. Chairman and members of the committee, the reasons why Hawaii should be admitted into the Union as its 50th State, to me are clear, convincing, and compelling.

The Congress, during many statehood debates, has established a list of traditional qualifications which a Territory should have, or ought to have, to be considered eligible for statehood.

Among these qualifications are: (1) The Territory should possess adequate area; (2) it should have sufficient population; (3) its economic situation should be such as to permit its people to assume and to carry their proportionate share

of the Federal Government's financial responsibilities; (4) the people of the Territory must have manifested a sincere desire for statehood; and (5) finally, and most important, the people of the Territory must believe in the American republican form of government and be qualified by education and experience for self-government according to American traditions.

All of these five qualifications, I am convinced, the people of Hawaii now abundantly possess.

In area, the Territory of Hawaii covers more than 6,600 square miles of land. Hawaii, therefore, is larger in area than Connecticut, Rhode Island, or Delaware. Since these three now are States, an argument cannot effectively be made that Hawaii is too small in area for statehood.

In population, Hawaii now has more than half a million inhabitants. This is more people than any Territory, except Oklahoma, in all the history of the country possessed when it was admitted to statehood. Furthermore, Hawaii's present population is larger than that now possessed by six of our States. Surely, Hawaii cannot be denied statehood on the ground she has too few people.

Is the economy of Hawaii such as to permit her to assume her full share of support of the Nation's financial responsibilities? As to that qualification we also must answer in the affirmative. During recent years the people of Hawaii have paid more than \$90 million a year in Federal income taxes. There are many present States which do not pay that much. To deny statehood to a people who pay so much toward the support of the Federal Government is to practice what our forefathers denounced, taxation without representation.

Then there is the question of whether the half million people of Hawaii want statehood. They have said they do again, again, and again. In 1940, in a plebiscite held on the issue of statehood, the people of the Territory voted two to one for statehood. The Hawaiian Territorial Legislature, composed of duly elected representatives of the Hawaiian people, have petitioned the Congress in the past half century almost a score of times for statehood. These representatives, or similarly minded ones, have been elected and reelected time after time indicating they were, in petitioning statehood, expressing the will of the people.

And lastly, are the people of Hawaii qualified by training and experience for statehood? Few can doubt that they are. Their educational system is of the best. Their rate of literacy is high. For more than 50 years they have lived under and been faithful to an American system of representative form of government.

When Hawaii was admitted to the status of a Territory, the United States made her people an implied promise that, someday, when qualified, Hawaii would be admitted to statehood. The conventions of both political parties in their platforms declared that they favored statehood. We, of both parties, should keep those promises.

Mr. O'BRIEN. Our next witness will be the very distinguished Secretary of the Interior, the Honorable Fred A. Seaton.

Mr. Seaton, may I ask you first: I understand you have an out-of-town appointment sometime today. Will it be possible for you to make your presentation and after that answer what questions may be asked? Or do you have a time problem that might require a return for the questions?

Secretary SEATON. Mr. Chairman, I think that we would have time up to noon anyhow and come back later if you so desired.

Mr. O'BRIEN. Thank you. You may proceed.

STATEMENT OF HON. FRED A. SEATON, SECRETARY OF THE INTERIOR

Secretary SEATON. Mr. Chairman and members of the committee, at first, if I may, I should like to join in the sentiment expressed by the distinguished chairman of the committee, Mr. Aspinall, in also expressing my regret at the absence today because of death of the Honorable George H. Christopher, of Missouri, whom I knew both to be a fine gentleman and a very distinguished Member of the House of Representatives.

Now, Mr. Chairman, it gives me great pleasure to appear before your committee this morning to urge the enactment of bills before you to admit Hawaii into the Union. I am grateful for the promptness with which you have scheduled consideration of this legislation.

The views of this administration on Hawaii statehood are well known. Already, since the convening of this Congress, the President has twice repeated his previous recommendations to the Congress that Hawaii be made a State of the Union. In his most recent statement to you, which was contained in his budget message, President Eisenhower said that it would be unconscionable if statehood for Hawaii were delayed any longer.

It is my personal hope that the Congress will find it possible to complete its action on statehood in this year, 1959. I recognize, of course, that Congress must set its own time schedules, and that for various reasons there are often delays, even on bills the ultimate passage of which is inevitable. Be that as it may, speaking for the executive branch of the Government, I assure you we will be most pleased and gratified if a statehood admission act for Hawaii is passed immediately.

In discussing the grant of statehood, it has been customary to speak of admitting States "into the Union," as if the Territory were in some sense outside and apart from the Nation; the bills before you use those words. As for myself, I have always considered that this language is somewhat deceptive.

The fact is that Hawaii is today in the Nation. It is true that Hawaii is not a member of the sisterhood of States, but it certainly is an integral part of this country, legally, politically, and constitutionally.

Hawaii is an incorporated Territory—the only one we have left—and as such it is covered by our Constitution, subject to our laws, protected by our Bill of Rights, defended by our military strength. And like the rest of us, Hawaiians are subject to military service and pay Federal taxes.

In many respects Hawaii is to be sharply distinguished from any of our other offshore Territories and possessions, none of which has been legally incorporated into this Nation.

Therefore, the question before you, it seems to me, is solely that of determining what status Hawaii should have within the Nation, whether that of State or that of Territory.

Every incorporated Territory has served an apprenticeship for statehood. However, none has been held in a Territorial status indefinitely. We believe that it does harm to an incorporated Territory, and harm to the Nation as a whole, to refuse or delay the grant of statehood to such a Territory when it fully meets the necessary conditions for statehood.

In terms of its devotion to American ideals, the American stamp of its culture, its economic development, its political stability, and its ability to maintain the costs of statehood and the responsibilities of equal status with the other States, Hawaii has fully met all the traditional tests for statehood.

To most of the members of this committee, the background facts on Hawaii are an old story, since the question of statehood for this Territory has been more thoroughly studied, investigated, and explored than for any one of the present 49 States. For the benefit

of your new members and the record, however, it should be worth while again to review some of the basic facts about Hawaii's application for statehood, her qualifications, and her place in the America of today and tomorrow.

Hawaii, as you know, was annexed by the United States in 1898 and became an incorporated Territory by the terms of the Organic Act passed by Congress in 1900. It has, therefore, served an apprenticeship in Territorial status for 59 years. That period is longer than the equivalent apprenticeship required of any of the present States.

Long before its annexation, Hawaiians were thoroughly imbued with American ideals and American culture. As long ago as 1820, the native people were converted to Christianity by American missionaries. The first sugar plantation in the islands was established in 1835. Since that time Hawaii's trade has been more and more strongly oriented toward the continental United States.

The first English language newspaper was started in 1836. Punahou School, a school for the education of young chiefs established by the American mission in 1840, quickly gained recognition as a leading education center throughout the entire Pacific. For example, there was a period when many leading Californians sent their children to school at Punahou.

A form of constitutional government was established by the Hawaiian monarchy in 1840, private ownership of land in 1848. The progressive adoption of American ways and American ideals led, as early as the 1850's, to agitation for annexation to the United States. Although this movement did not bear fruit immediately, a commercial treaty of reciprocity between the two nations in 1875 tied Hawaii oven more firmly to the American economy.

All through the 19th century a steady stream of Americans—businessmen, educators, churchmen, professional men, and others—migrated to the islands, made their homes there, and introduced American skills, knowledge, ideals, and culture into the life of the islands.

Ultimate annexation was inevitable. In 1893, as a result of the attempt by the then Hawaiian rule, Queen Liliukalani, to reestablish an absolute monarchy, the kingdom was overthrown and replaced by a republic, headed by Sanford Dole, who was born in Hawaii but educated in the United States. Annexation followed in 1898 by treaty between the Hawaiian Republic and the United States.

Since the annexation and the incorporation of the Territory, the Americanization of Hawaii has continued at a rapid pace. The steady flow of people from the mainland to the Territory has continued and grown. The excellent territorial school system early converted the Hawaiians—of diverse racial strains—of Hawaii into a predominantly English-speaking population.

American business methods prevail throughout the economy. Hawaii's press, radio and television, her political institutions, her religious and charitable organizations, and her social life all duplicate, or are modeled after those of the continental United States. In every way, Hawaii is a mirror of the mainland—it is the showcase of American democracy.

I emphasize this similarity because it seems to me that part of the opposition to statehood has been based on a feeling that Hawaii is

somehow "foreign" in its makeup or in its outlook. Nothing, I assure you, could be further from the truth. It is true that a large percentage of the population is of Oriental and Polynesian racial extractions. But from that fact it would be both unfair and highly inaccurate to draw any conclusions that such people have an outlook or loyalty that is in any way foreign to our way of life or is non-American in concept.

Quite the contrary is true. The overwhelming majority of the people of these racial groups were born on American soil, are American citizens by birth, and have never known any other nation. They are as proud of their American citizenship as you and I.

For those who have not as yet had an opportunity to study the geographical and economic facts of present-day Hawaii, it may be of interest if I summarize some of the more important features.

This committee recently took a leading part in the movement which gave us our 49th State. In your deliberations on Alaska you heard opposition arguments that Alaska was too vast and sprawling, too thinly settled, too undeveloped economically, and too poor in state revenue sources to justify the grant of statehood. You rejected those arguments—rightly, I believe—but we all concede that Alaska is comparatively undeveloped as yet.

Hawaii represents an extreme contrast to Alaska in those respects.

It is comparatively small—6,423 square miles—although not so small as three of our present States—which you will recall as being: Rhode Island, Delaware, and Connecticut.

The Territory is thickly settled, comparatively thickly settled, with a population recently estimated at about 635,000—larger than that of six of the present States: New Hampshire, with 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, approximately 214,000.

In fact, Hawaii today has a greater population than that enjoyed at the time of admittance by any of the States—other than the original 13—with the single exception of Oklahoma.

In Alaska, economic development has barely scratched the surface of the resources which are known to exist there. Hawaii, by contrast, is well developed. It is an economically self-sustaining area, with flourishing industries and abundant local tax revenues to meet the costs of statehood.

More than a million tons of sugar, worth nearly \$150 million are produced annually, from over 200,000 acres of cane. Capital investment in this industry amounts to nearly \$200 million of which about \$50 million is in irrigation facilities alone. In sugar production techniques and per acre production Hawaii leads the world, and its hourly rated employees receive the world's highest year-round agricultural wages.

Hawaii also produces 85 percent of the total United States supply of canned pineapple products; that is to say, 65 percent of the world's production. Pineapple production uses about 75,000 acres of intensely cultivated land, and provides employment for over 22,000 people annually. The annual value of the output, estimated at about \$115 million, gives pineapples second rank to sugar.

Although other specialty crops for export may be considered as minor in comparison to those already named, they add annually about \$10 million to Hawaii's gross income.

Aside from agriculture and the processing of farm products, a second major source of income for the people of Hawaii is the tourist trade. In 1922, the total number of visitors was less than 10,000. As late as 1941, the peak prewar year, it was only 32,000. By 1957, however, it had reached a total of 169,000, more than 5 times the number of 16 years before.

That 169,000, incidentally, represents the number of persons staying 2 days or more. They spent nearly \$80 million in Hawaii in that year, and thus put tourism next to sugar and pineapples as a source of income from private industry.

Other industries and industrial possibilities could be mentioned—fisheries, minerals, and timber. For example, while it had always in the past been generally believed that Hawaii was lacking in mineral resources, there have recently been discovered tremendous quantities of bauxite ore, the raw material for the aluminum industry.

Although the ores tested thus far have not been of very high grade, there still seems to be a real possibility that these ores may lead to a substantial mineral industry in Hawaii. If they can be profitably used, there is a tremendous quantity of the ore available—over 200 million tons of bauxite contents—a quantity several times as large as all that in other known bauxite reserves in the United States and its possessions.

Most of Hawaii's economic possibilities are already well developed, as I have said, and the Territory is already a taxpaying partner, carrying a full share of the burden of supporting the Federal Government. Federal internal revenue collections in Hawaii last year amounted to \$166,306,000, a figure higher than in 10 of the present States: New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, and Alaska.

This is the picture of Hawaii's economy and present state of development. As can easily be seen, economically Hawaii is well developed and prosperous, with an economy based upon sound foundations.

With this picture in mind, how well does Hawaii measure up, when tested by the standards that in the past have commonly been applied to applicants for statehood?

The three standards which are said to be traditional are these:

(1) That the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government.

As a matter of fact, I hope my statement thus far has been convincing that the people of Hawaii fully meet this test in every regard.

(2) That a majority of the electorate desire statehood.

The Territorial legislature has petitioned for admission as a State again and again; Delegate after Delegate has introduced a statehood bill; the Territory has drafted and the people have ratified a proposed constitution, and the people have voted overwhelmingly for statehood in both 1940 and 1951. Thus there is ample evidence of the electorate's desire for statehood.

(3) That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

As I pointed out previously, Hawaii's population today is greater than that of any other State at the time of admission, save one.

The additional cost of statehood to Hawaii would be only a few hundred thousand dollars a year, since the Territory already pays from its own local revenues substantially all the costs of functions normally assumed by a State.

As for providing its share of the cost of the Federal Government, Hawaii will do that, with or without statehood, as it already does.

Evidentially these tests are easy for Hawaii. In fact, if these tests had been the only ones to meet, Hawaii would surely have been a State many years ago. What other objections can there be?

It used to be argued that we should refuse to admit to statehood an area not contiguous to the rest of the United States. However, the admission of Alaska provides an excellent rebuttal to that argument. Contiguity is not, in this day of jet transportation, essential to preserve our Union.

One argument against Hawaiian statehood persists in some quarters—communism. It has been alleged that Hawaii is susceptible to control by Communists, that they exercise key positions of influence throughout the political system, and that after statehood this influence would continue.

How much fact and how much fiction is there in these charges?

The fact is that the people of Hawaii, time after time, have utterly rejected the Communist philosophy and every attempt of Communists to influence their government.

The people of Hawaii wrote into their proposed State constitution a far-reaching prohibition against any Communist holding public office or public employment of any kind.

In 1949, when a prolonged dock strike threatened the economy of the Territory, the Territorial legislature, notwithstanding the most severe pressure in opposition, enacted laws providing comprehensive power and authority for the Territorial government to step in and seize the docks in the event of a strike. Four general Territory-wide elections for the legislature have been held since those laws were enacted. In each election the laws were an issue, but the Hawaiians have held firm. Those laws are all still on the books in Hawaii today.

For another example, when the Korean conflict broke out, young men from Hawaii responded eagerly to the call for service. They fought bravely and suffered a high rate of casualties. Not one committed an act of cowardice in the face of the enemy. Not one became a turncoat or rejected repatriation to the United States.

The people of Hawaii have been alert to the Communist menace and are not afraid to resist it. In fact, I am informed that no known Communist has ever been elected to public office in Hawaii.

The charge of Communist influence and control in Hawaii is not a new one. It was first used as an argument against statehood in 1948. This, I need not remind you, is 1959, 11 years later. In those 11 years the people of Hawaii have been tested again and again. They have responded to every test magnificently. Never once have they failed.

In those 11 years dire warnings have been uttered again and again that a growth of communism was imminent, that communism was about to seize control of this or of that activity.

For example, there were warnings that communism would control the constitutional convention called in 1950 to draft a constitution for the proposed State. Instead, that convention wrote into the proposed constitution the strongest kind of anti-Communist protective language.

Regrettably there were warnings that boys from Hawaii of oriental extraction could not be trusted at the fighting front in Korea against enemy Communist troops of similar racial origins. But the boys from Hawaii behaved magnificently, with not one single action that could possibly reflect on their loyalty.

Mr. Chairman, Hawaii deserves statehood. Hawaii has earned the right to fair and equal treatment, if indeed such a right must be earned. In my opinion, Hawaii has long since served her apprenticeship in the American way of life and the American way of government. She has accepted voluntarily and wholeheartedly our ideas and concepts and methods.

To be sure, some critics have asked: "Statehood will help Hawaii, but how will it help us?"

I urge this committee to reject that brand of thinking. The admission of any fully qualified partner does strengthen the whole. Certainly it might have been argued 170 years ago that the Original Thirteen States would be foolish to grant equal rights to others.

Whatever such illogical counsels were uttered at that time—and history does record some—they were not listened to. What a travesty of a Union we would have today if the Original Thirteen States had attempted to reserve all powers to themselves and to keep all the rest of the Nation under their rule.

This Nation has lived and grown great on the principles of dealing fairly with all its people and granting equal rights to all those able to fulfill their responsibilities and share in carrying the common burdens. The same principles apply to Hawaii.

We need Hawaii. We need Hawaii as an equal partner as much as Hawaii needs statehood. The grant of statehood to Hawaii will prove to the world—and particularly to Asia—that we practice what we preach. I say we need the participation of Hawaiians in our counsels and their advice and experience in dealing with the peoples of the Orient. We need and want their voluntary participation and enthusiasm, so much more valuable to us than any help we can draw from them under force of law. The voluntary cooperation of free people has made this Nation great.

Admission of Hawaii, Mr. Chairman, will demonstrate our continued adherence to all of the principles of our Founding Fathers. Hawaii pleads for simple justice. Answering that plea, to me, involves only a question of when to act.

Our report on these various bills is before you. In it we have made some suggestions for your consideration. The personnel of the Department are available to you for any assistance or information you may require.

Thank you.

Mr. O'BRIEN. Thank you, Mr. Secretary.

I congratulate you on a very able and at the same time dispassionate statement. I hope it is and was as convincing to the other members of the committee as it was to me.

Secretary SEATON. I thank the chairman.

Mr. O'BRIEN. Mr. Aspinall.

Mr. ASPINALL. Mr. Chairman, I do not wish to take the time of the committee to ask any questions. I do wish to congratulate the Secretary on his presentation. Especially do I wish to thank him for the thought that is in his fourth paragraph.

In other words, Hawaii is today as much a part of the Union, an indissoluble part of the Union, as if it were a State. I know of no way by which Hawaii could get out of the Union unless it was by an action of Congress, and I do not know how that would be accomplished. I know of no machinery. In other words, it is a question now of whether or not we recognize an age-old tradition of the United States.

I thank the Secretary for his contribution.

Off the record.

(Discussion off the record.)

Mr. O'BRIEN. Mr. Saylor.

Mr. SAYLOR. Mr. Chairman, I want to join you and the chairman of our committee, Mr. Aspinall, in commending the Secretary for his excellent statement.

Mr. Secretary, I think the question which you have raised on page 6, where you state that some people want to know how the admission of Hawaii could help us is well answered by you in the remainder of that page and the top of page 7. Because it has been my experience with a number of people in the Orient that they are pointing to Hawaii and saying that the only reason we have not admitted them to statehood is because of their ancestral background, I certainly think that this country could do nothing that would so impress the peoples of the East, that regardless of racial background, if you are an American citizen, you are entitled to full equality wherever you may be found.

I certainly commend you for this statement.

I would also like to commend you for getting the report of your Department up here so promptly. In other words, I realize you only had a week to submit it, and knowing the problems you have in clearing reports through various bureaus, I commend you in seeing to it that you have your report here.

Thank you.

Mr. O'BRIEN. Mr. Rogers.

Mr. ROGERS. Thank you, Mr. Chairman.

Mr. Secretary, you made a very good statement, a very impressive statement. But would not the arguments that you have advanced here apply to other Territories of the United States the same as they do to Hawaii, with the exception of the wealth proposition?

Secretary SEATON. I am sorry, Mr. Rogers. I did not hear the last part. With the exception of what?

Mr. ROGERS. With the exception of the wealth situation.

Secretary SEATON. Mr. Rogers, so far as the foreseeable future is concerned, I do not think so.

In the first place, as I point out in the statement, the Territory of Hawaii is the only incorporated Territory we have left.

Secondly, I am not aware—and I think I should be aware—that any of the other Territories or possessions of the United States are petitioning for statehood or have that in mind.

Thirdly, with all respect to the other Territories and possessions of the United States, I think I should have to say, upon the basis of what I think is ample evidence, that no one of them is presently qualified for admission into statehood in the Union.

Now as to what might transpire many, many years from now, sir, I could not prophesy as to that.

Mr. ROGERS. What are the qualifications you have in mind for a territory to qualify for statehood?

Secretary SEATON. I think, sir, that the three traditional qualifications which I have listed in my statement cover that subject reasonably well. I shall be glad to discuss them further if you would like.

I might, before I get to that, if I may, sir, with your indulgence, point out that in our dealings with Hawaii, too, there have always been at least the implied promises of eventual statehood. I mean there is a long history of that which goes back even to the time of the original annexation. I personally should not want to rest our case for statehood solely and wholly on this premise, but, as I say, it is a matter of record.

Mr. ROGERS. Now the three qualifications that you were speaking of, I noted with interest when you read them, and it seems to me the only one that probably does not apply to the other Territories of this country would be No. 3, that is, its relation to the resources and the economic situation necessary to support statehood, let us say.

Now are those the only qualifications you have had in mind, Mr. Secretary?

Secretary SEATON. No, Mr. Rogers; there are others which are threaded through the document which I presented to the committee. But I would hazard this, that if only No. 3 were taken into consideration, No. 3 would preclude the admission of other Territories and possessions into statehood at this time.

I repeat that, so far as I know—and I think I should be thoroughly aware if it is contrary to the case—we have no other Territory or possessions which are petitioning for statehood or overwhelmingly committed to trying to get it. And Hawaii, as I said, is the only incorporated territory we have.

Mr. ROGERS. Mr. Secretary, do you feel, as has been said on so many occasions, that the failure to grant statehood to Hawaii would leave the people of Hawaii in the situation where they would have second-class citizenship with relation to other citizens of the United States?

Secretary SEATON. Mr. Rogers, I would rather put it in this context: that our failure to grant statehood to Hawaii would leave us, the rest of us, the other 49 States which make up the Federal Government, in an impossible position.

And then so far as your premise——

Mr. ROGERS. What do you mean by an impossible position?

Secretary SEATON. I think it would simply demonstrate, sir, that we do not practice what we preach. And then, so far as the people of Hawaii are concerned, if you want to put it in the semantics of second-class citizenship or not, it is a fact that they are forced to carry out all of the responsibilities of statehood.

By that I mean they are subject to all of our Federal laws, they are subject to military service; they pay all the Federal taxes which are imposed on any other citizen of the United States; and what they are really denied are none of the obligations; what they are really denied is one of the virtues, and that is the right of full suffrage.

They cannot vote for their own Governor; they cannot vote for an elected Member of the House of Representatives who has a right to

vote; and they cannot choose U.S. Senators who have the right of a vote. They are precluded by the very terms of an organized Territory, as differentiated from the State, from enjoying the full privileges of American citizenship.

Mr. ROGERS. That is the thing that has me somewhat disturbed. I have heard this term "practice what we preach" very much. Do I understand what we are doing is preaching that everybody ought to be on an equal basis, and that if the inhabitants of a Territory are imbued with the ideals of democratic principles and willing to subscribe to them, and the majority of those people desire statehood, that unless they have the wealth to become States in accordance with your yardstick here, then they have got to remain in a position of second-class citizenship as has been observed?

Secretary SEATON. Of course, the present status of Hawaii, as we have insisted it should be, as I say, has the very practical effect of imposing on Hawaiians all of the responsibilities of citizenship, but denying them one of the most precious assets of citizenship, which is the full right of suffrage.

Rather strangely, Mr. Rogers, if I understand the Constitution correctly, it would be possible for an Hawaiian to become President of the United States because he is a citizen while, at the same time, it is absolutely impossible for Hawaiians to vote for President of the United States.

Mr. ROGERS. Would not those same arguments, though, apply to other Territories, Mr. Secretary?

Secretary SEATON. Some of those arguments, Mr. Rogers, would apply to other Territories if other Territories had qualified themselves for statehood. And I say, so far as I am concerned, the record is clear that as of now no other Territory of the United States has been able to qualify themselves for statehood.

Mr. ROGERS. Because of their means in the AMS test?

Secretary SEATON. Not alone, sir. Other tests, too.

Mr. ROGERS. According to the third section of the yardstick you put down here, that would be the situation, say, in the Virgin Islands. If those people wanted to come in and were willing to subscribe to democratic principles, because they did not have the money to support themselves, would be the only reason they would be denied their statehood?

Secretary SEATON. Mr. Rogers, I do not want to quarrel with you about it, but I would feel it necessary to point out that standard No. 2 would also apply.

Then, of course, we also have this: We have in the platforms of both political parties, which is to the credit of both of them—it has been there for a number of years—the promise of statehood to Hawaii. And we have had declarations on the part of several Presidents of the United States, Presidents of both political parties, and that does not apply, either of those, in the cases of these other Territories and possessions.

I have seen no such promises in party platforms and I am not aware of any such utterances on the part of the Presidents.

Mr. ROGERS. You would not argue that statehood would depend on whether or not a political party put it in its platform, would you? That would not be a controlling factor.

It seems to me the controlling factor, as advanced by the proponents of statehood has been simply this: What this country needs to do is to get away from this brand of colonialism that we apparently bear in the minds of some people. I do not think that we bear it. But that we have got to admit all of the Territories as a State in order to escape being branded a colonial power.

Secretary SEATON. I did not intend to make any such point, Mr. Rogers. But go ahead.

Mr. ROGERS. You will admit this: That when we admitted Alaska we moved into an entirely new political area. I am not speaking about political parties; I am speaking about the science of government in my definition of politics. When we made a State out of a Territory that was separated from the other 48 States by a foreign country over which we have no jurisdiction, or by the seas over which we have at most joint jurisdiction, or equal jurisdiction with other foreign powers, we did move into a new political area in that decree, do you not think, Mr. Secretary?

Secretary SEATON. Yes, we did, Mr. Rogers. But I need not remind you that California was admitted into the Union when it was widely separated from the other States, and it certainly was debatable, to put it mildly, whether we both had jurisdiction and authority over the intervening territory there?

Mr. ROGERS. You say it was debatable whether we had jurisdiction.

Secretary SEATON. I said both jurisdiction and authority, authority in the sense of control over that wide expanse, some 3,000 miles.

Mr. ROGERS. I think we had a right to put Armed Forces in there to enforce any law we wanted to enforce. But we did own the territory in between California and the rest of the States.

Secretary SEATON. I think that is admitted. But, as you say, we covered that question with the admission of Alaska. That is why I pointed out in my statement that contiguity no longer seemed to me to be an issue.

Mr. ROGERS. But your statement said that by admitting Alaska we answered the question about whether or not you can preserve the Union because of noncontiguity.

Now, the admission of Alaska did not answer that question, it created the question of whether or not the Union can be preserved if Alaska was attacked, did it not, Mr. Secretary?

Secretary SEATON. Mr. Rogers, I have got a lot more faith in the Union than that.

Mr. ROGERS. Than what?

Secretary SEATON. I certainly would not admit that the admission of Alaska had jeopardized the future of the Union.

Mr. ROGERS. I did not say it jeopardized it, but it created the situation. It created the situation insofar as the preservation of the Union is concerned by having a State separated from the other 48 States, did it not?

What I am saying, Mr. Secretary—

Secretary SEATON. I do not quite understand you, Mr. Rogers.

Mr. ROGERS. Prior to the admission of Alaska that question was not presented, was it?

Secretary SEATON. Mr. Rogers, I think I would have to insist that precisely the same question was posed with the admission of California

because of the vast expanse of area between California and the States which were then presently members of the Union, and we survived that.

I have every faith that we will survive the admission of Alaska, to put it mildly.

Mr. ROGERS. On several instances there have been Territories between a new State and the rest of the Union, but that has been territory owned by the United States and over which we had jurisdiction and had the right to assert it. We certainly do not have the right to move military operations into Canada without their permission, do you think?

Secretary SEATON. Mr. Rogers, I tried to make it clear—perhaps I failed in that, and if I did, I apologize—that in this day and age the question of land travel or water travel is not nearly as important as it may have been many, many years ago. You can get forces in and out of Hawaii more efficiently, perhaps even more—well, I would say more—safely and more economically today by means of air transport than you could have gotten those same munitions or forces into California out of the other States at the time of California's admission.

Mr. ROGERS. I will agree with that, Mr. Secretary, but you will have to agree with this: That the international law as it is presently applied still utilizes the yardstick of land masses to divide sovereignties and inland waters, does it not?

Secretary SEATON. Generally speaking.

Mr. ROGERS. And the fact is that the Hawaiian Islands are not only separated from this country by wide expanses of water over which we do not have exclusive jurisdiction; the eight component parts of the Hawaiian Islands are also separated by the same expanses of water over which we do not have exclusive jurisdiction nor do the Hawaiian Islands have exclusive jurisdiction. Is that not correct?

Secretary SEATON. I think from an academic point of view of international law it is. From a practical point of view, I do not know I could completely concur.

I am not sure of your point. Are you questioning our ability to defend Hawaii?

Mr. ROGERS. No.

Secretary SEATON. Or of Hawaiians to contribute to their defense?

Mr. ROGERS. No; I do not question that. I think we can defend Hawaii.

Let us put it this way: Do you think it would be any easier to defend Hawaii as a State than it would as a Territory?

Secretary SEATON. Yes, I would have to say so, based upon my fundamental belief that the granting of statehood to any people strengthens those people and the whole fiber of their economy and political system.

Mr. ROGERS. You mean they would fight harder or we would fight harder?

Secretary SEATON. It might be both.

Mr. ROGERS. Let me ask you this, Mr. Secretary: Do you know how much money is put into the Hawaiian Islands each year out of the tax coffers of this country?

Secretary SEATON. Give me a moment, sir. I think we may have that figure.

Mr. Rogers, I think the last figures we can give you for that—perhaps the Department of Defense can update them—for the year 1957 the appropriated funds for Armed Forces expenditures—I assume that is what you are speaking to—amounted to about \$308 million.

In 1956 those same appropriated funds amounted to \$285 million.

Mr. ROGERS. Percentagewise what part of the income of Hawaii is that?

Secretary SEATON. I would have to refer back to the total productivity, if you will give me a moment.

Mr. ROGERS. One thing I was thinking about, Mr. Secretary, you made a point here that the Hawaiian Islands paid in \$166 million, and yet there was not anything in your statement about how much they got out of the Federal Government.

Secretary SEATON. Well, Mr. Rogers, we will furnish the figure of the total Territorial gross product of Hawaii for you. We will have to add it up from figures that we have.

But I should not want to enter into a debate about how much the Federal Government is spending in my State of Nebraska for military installations as indicating any diminution in the desirability of having Nebraska as one of the 49 States. That might apply even more to some other States.

In the interest of amity, I will not discuss Texas.

Mr. ROGERS. If they do not stop these oil imports, we are going to have to start getting more from the Federal Government than we are paying in, too.

But the point is simply this: That the great part of the Hawaiian economy, Mr. Secretary, is based upon income put there by the Federal Government from tax sources. That is correct; is it not?

Secretary SEATON. If I understand what you mean by "great part" I should not want to subscribe to that definition at the moment. I think I would agree a substantial amount of money certainly is spent, because when you get it up in the magnitude that I have recited, that, to me, is substantial.

Mr. ROGERS. Do you think it is over 50 percent, Mr. Secretary?

Secretary SEATON. I cannot answer that question at the moment.

Mr. ROGERS. If you would get those figures I would appreciate it. I am sure you have them somewhere. Just submit them for the record, if the Chair will permit.

Mr. O'BRIEN. Without objection.

(The information follows:)

The gross Territorial product of Hawaii for the calendar year 1957 was about \$2 billion. Military expenditures in the Territory for that year were about \$308 million. Federal grants to Hawaii for 1958 amounted to \$22 million. The total of military expenditures and Federal grants was \$330 million. Thus the percentage of gross Territorial product represented by income put there by the Federal Government from tax sources was 16½ percent.

Mr. ROGERS. Mr. Secretary, there is some talk in your statement about colonialism. Do you think that we in this country have done things that require us to take some affirmative action to prove to the people of Asia that we have been wrong and we want to make some correction?

Secretary SEATON. I should not want to say that we have been wrong. I would say that so far as I am concerned as an official of the Government I have been disappointed that Hawaii has not long since

been granted statehood. I do not think that we have to admit any wrongs.

I think, if we were to perpetuate the present situation, we certainly would weaken our position, not only in Asia, but before the world, and just as truly in our own country.

I have never seen the public opinion polls compiled by any source which did not reveal an overwhelming support on the part of the U.S. citizens for the admission of Hawaii as a State.

Mr. ROGERS. I do not want to get your prediction——

Secretary SEATON. May I give you one figure on your question about the Hawaiian economy vis-a-vis the military expenditures?

Mr. ROGERS. Surely.

Secretary SEATON. The gross annual product of the Territory of Hawaii, on the latest available figures, is something in excess of 2 billions of dollars, and Hawaii's 1957 mainland dollar earnings were \$856 million. Hawaii expended some \$833 million on the mainland.

That may help in answer to your previous question.

Mr. ROGERS. You said the military expenditures. Are there any other government expenditures over there besides the military?

Secretary SEATON. Yes, there are some. There are some in connection with the various governmental functions. I do not at the moment recognize any of those as major. I might want to look further into that.

Mr. ROGERS. I want to know what you mean by "major." You mean up into the hundreds of millions of dollars?

Secretary SEATON. That is right; or anything approximating that.

Mr. ROGERS. Of course, the military would constitute the greater part; would it not?

Secretary SEATON. Of the governmental expenditures, I am sure that is right, sir.

Mr. O'BRIEN. Will the gentleman yield?

Mr. ROGERS. I would be happy to yield.

Mr. O'BRIEN. I would like to ask the Secretary a question at this point. The percentage of governmental expenditures to Hawaii's total economy, is it not substantially less than the percentage of governmental expenditures to the total economy of Alaska?

Secretary SEATON. Yes, I would agree with that.

Mr. O'BRIEN. Which has been admitted as a State?

Secretary SEATON. Yes.

Mr. ROGERS. Does that means you are going to turn Alaska loose?

Mr. O'BRIEN. Loose?

Mr. ROGERS. You mean we made a mistake when we took Alaska in?

Mr. O'BRIEN. No. What I mean, if the gentleman will yield further, is that the Congress considered that argument because it was so brilliantly presented by the gentleman from Texas, and then voted to make Alaska a State.

Mr. ROGERS. I will not yield further. [Laughter.]

Mr. Secretary, the fact remains that the Hawaiian Islands, even though they make a contribution to the Federal Government of some \$166 million, as pointed out by you, get from the Federal Government approximately twice that amount; do they not?

Secretary SEATON. You mean in comparing Federal income taxes with the military expenditures?

Mr. ROGERS. Yes.

Secretary SEATON. Something in that magnitude. Of course, the mere fact we have expended all of that total moneys for military purposes in the Hawaiian Islands, Mr. Rogers, is simply another demonstration of how important we think the Hawaiian Islands are to the defense of the United States.

Mr. ROGERS. Oh, I do not discount the importance of the Hawaiian Islands at all. As a matter of fact, I think the Hawaiian Islands are probably—I do not want to make Alaska feel badly—as important as any other possession we have ever had. I think they are highly important and I think the people of Hawaii are great people. I think they are wonderful people. Any opposition I have ever voiced to Hawaiian or Alaskan statehood has been from the standpoint of political—and I mean by that the science of government—rather than because of any race or anything of that kind that has been generated in this argument.

I just do not think race or those kind of things should enter into it.

One other question and I will quit.

You went into communism at length. Do you think, Mr. Secretary, that Harry Bridges could throttle the economy of the Hawaiian Islands if he wanted to?

Secretary SEATON. Mr. Rogers, if you are just asking for my personal opinion—and that is all I am competent to give in answer to your question—

Mr. ROGERS. I am asking you as an expert witness.

Secretary SEATON. I am not an expert witness on Mr. Bridges.

Mr. ROGERS. You have charge of the Department in Government that has charge of the Hawaiian Islands, though.

Secretary SEATON. But not of Mr. Bridges, Mr. Rogers.

Mr. ROGERS. I understand that, but you know the problem. Sometimes I wish you did have charge of him.

Secretary SEATON. Thank you.

I think the record is clear enough that Mr. Bridges has in the past called strikes and certain other labor actions which have been vexacious, to put it lightly, to carrying on the orderly commerce of the islands.

However, that is just as true in a good many States of the Union, whether it is Mr. Bridges' union or somebody else's union.

We have had recent examples of that. Very recent ones.

Then I would also like to point out that the Hawaiian Legislature did meet that head on in the labor legislation which it adopted and which has been under attack from obvious sources four times since that legislation was adopted, and those laws are still on the books, which, among other things, provide for the seizure and governmental operation of the docks if, in the opinion of the duly constituted government of Hawaii, it becomes necessary.

Mr. ROGERS. Mr. Secretary, we can argue about communism forever and not get any place.

I have one other question and then I will quit.

Is it your position that, if Puerto Rico met the first two parts of your yardstick for statehood and established the fact that it could meet the third one, that it should be admitted as a State, too?

Secretary SEATON. Mr. Rogers, that is a question which I certainly do not deny your right to ask, but I must say it is wholly academic to

these purposes, if for no other reason than that the people of the Commonwealth of Puerto Rico have shown absolutely no evidence of desiring American statehood. And at this time we do not have that question before us.

Mr. ROGERS. I am asking if it was that they wanted it.

Secretary SEATON. As I say, I would rather meet that question if and when the people of Puerto Rico meet at least the three tests I have enumerated. Of course, I am not the author of these tests. These are tests which have gradually been evolved by action of the Congress of the United States.

Also, as I understand, before Puerto Rico or any other Territory or possession, Commonwealth, as the case of Puerto Rico, would become a State, I think it is right that Congress first would have to make an incorporated Territory of it as a prelude to admission to statehood. I have seen no demands for that in Puerto Rico.

Mr. ROGERS. I am speaking of the mechanics having been gotten out of the way.

One question in that connection. Suppose they had a plebiscite in Cuba and they decided they could meet these requirements. Do you think we ought to take Cuba in?

Secretary SEATON. I think that is an entirely different question, Mr. Rogers.

Mr. ROGERS. In what way?

Secretary SEATON. In the first place, there is no such request before us. The mechanics are not present to put it before us.

Mr. ROGERS. I know.

Secretary SEATON. You might just as well ask me if I thought if that should happen in Germany or Great Britain whether they should become part of the Union. They have an independent government.

Mr. ROGERS. Of course, we could go on and ask it, but I say Cuba because it is close, and we are much closer to it than the Hawaiian Islands. Much closer. And if those people decided they want to join up with us—what I was probing for was really the general philosophy of this whole situation, because we have had so many arguments about second-class citizenship and not practicing what we preach. And I do not know what we are preaching. I mean it is hard to know what to practice if you do not know what is being preached.

If we are talking about second-class citizenship, I want to know how far we are going to go in this new political area.

Secretary SEATON. Mr. Rogers, I indicated earlier that I personally do not like to use the phrase "second-class citizens." It has certain implications in it, which I think are unfortunate to the citizens involved, to say nothing of us.

What we are preaching here is that here are American citizens, as I said earlier, shouldering all of the responsibilities of American citizens, but enjoying only certain privileges. And one of the greatest privileges of American citizenship, which is the right of suffrage, is denied to them.

They have petitioned the Government of the United States for almost 60 years for statehood. There have been repeated investigations and repeated attempts to make a State of Hawaii. I think Hawaii has qualified in all of the necessary ingredients of statehood.

That is my opinion. And I think, as I said, to me it is just a case of simple justice.

As Chairman Aspinall so pertinently pointed out, Hawaii is part of the Nation. I know of no process by which Hawaii gets out of the Nation. We just keep them suspended here in sort of a never-never land, and to me, sir, that is grossly unfair both to them and to us.

Mr. ROGERS. You have been very kind, Mr. Secretary. Thank you very much.

That is all, Mr. Chairman.

Mr. O'BRIEN. The Chair recognizes the gentleman from South Dakota and asks him first to yield to the Chairman.

Mr. BERRY. I will yield.

Mr. O'BRIEN. I would like to explain, before the gentleman from South Dakota asks his questions, that he served on a committee under the chairman which went to Hawaii last year and performed a wonderful service, sometimes kept the rest of us with our feet on the ground.

I think that he will agree with me that, if there was one subject at which the committee looked very, very carefully, it was the question of communism in Hawaii.

Mr. Berry.

Mr. BERRY. Thank you very much, Mr. Chairman.

First of all, I would commend the Secretary for a very fine and very complete statement. In that connection, I wish it would have been possible for us, as members of the subcommittee, to have filed a report that was done as well as the Secretary's report.

However, Mr. Chairman, I would ask at this time that the report made by yourself, Congressman Sisk, and myself of the subcommittee hearings in Hawaii be made a part of the record at this point.

Mr. O'BRIEN. Without objection, it is so ordered.

Mr. HALEY. The Chair is going a little fast here. Not that I want to object, but please give us an opportunity to object.

Mr. O'BRIEN. Yes, the gentleman is in order.

Mr. HALEY. Will the gentleman yield?

Mr. BERRY. Yes, I yield.

Mr. HALEY. I realize the practical situation, and I am sure everybody here does, but I think that we have ample time to have full discussions on hearings. I think that the chairman could move just a little slower here.

The gentleman from Florida does not want to impede the progress of the committee or anybody else. I do want to have an opportunity to object.

I have this report of the subcommittee for the first time before me this morning. It consists of six pages. No doubt it is a good report. I would like temporarily to object so that I might have an opportunity to study it.

Mr. O'BRIEN. Do I understand, if the gentleman will yield, that the gentleman from Florida is objecting to the inclusion in the record—

Mr. HALEY. At this particular time.

Mr. O'BRIEN. Of a previous report by three members of this committee who were officially designated by the committee to go to Hawaii and study the situation and make a report?

Mr. HALEY. At this time, until the gentleman from Florida has an opportunity to study the report, I do.

Mr. O'BRIEN. The objection is heard. Does the gentleman wish to move?

Mr. BERRY. Mr. Chairman, I will move that the report of the committee be made a part of these hearings, if there is no objection, following the study of the report.

Mr. HALEY. All right.

(By later order of the committee the report follows:)

REPORT
OF A
SPECIAL SUBCOMMITTEE
OF THE
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION
PURSUANT TO
H. Res. 94

HAWAII STATEHOOD



NOVEMBER 24 TO DECEMBER 8, 1958

Printed for the use of the Committee on Interior and Insular Affairs
House of Representatives

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959

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HAWAII STATEHOOD

Pursuant to authority granted the Committee on Interior and Insular Affairs by House Resolution 94 (85th Cong.), the undersigned members of the Subcommittee on Territorial and Insular Affairs visited the Territory of Hawaii during the period November 24 to December 8, 1958, to make intensive inquiry with respect to H. R. 49 (85th Cong.) granting statehood to the Territory.

On the basis of comprehensive and exhaustive study, including numerous interviews with a complete cross section of the population of the Hawaiian Islands, your subcommittee believes that Hawaii is entitled to statehood by every fair test and precedent.

This area of our Nation, last incorporated Territory under the American flag, has been in training for statehood for 60 years. In 1898 it became a firm and irrevocable part of the United States. Its people are our people. Its philosophy is our philosophy. Its loyalty, like its language and currency, is identical to ours. Its servicemen are our servicemen, and its flag is our flag. Except for the full flowering of the voting franchise these people are us. They may travel anywhere in the 49 States.

Hawaii has been denied statehood in the past by close margins in the Congress of the United States. With the admission of Alaska as the 49th State, it would be unthinkable to delay further the fruition of Hawaii's magnificent dream of statehood and its demonstrated capacity for, and right to, full brotherhood in the Union of States.

Your subcommittee brought neither a whitewash brush nor an ax to its survey task. We met head on, and with objective eyes and ears, the vexing and controversial subject of communism in the islands, an issue which has been raised before and, we know, will be raised again in Congress.

Each member of our committee arrived in Hawaii with an open mind, prepared to recommend against statehood if he developed serious doubt about the loyalty and political maturity of the people, or their ability to cope as adequately with communism as do the people of the 49 States.

We deliberately decided against public hearings, for two reasons. The files of Congress are jammed with the records of such hearings, some of them very recent, and all the testimony therein was available to us. The questions we desired to ask could be answered best by going into the highways and byways among the people. That is why we deserted hearing rooms for homes and street corners, labor halls and business marts, schools and churches, professional groups and law-enforcement agencies, farmers and politicians, chambers of commerce and veterans' organizations.

Among all these we found our answers. From these people, literally thousands of them, we received assurance that they recognized their problems and were able and willing to solve them now and when they don the coveted mantle of statehood. We found them ready to admit that communism in the islands existed, but we learned that they abhor it as we do and are meeting its evil challenges as capably as do people and government in the 49 States.

During most of our 15-day inquiry in Hawaii, 2 members of the Senate Committee on Interior and Insular Affairs were engaged in a similar inquiry. We exchanged information with them, but we cannot, of course, include their conclusions in this House document.

Among the individuals and organizations with whom we conferred were the Governor of Hawaii, the Federal Bureau of Investigation, IMUA, officers and members of the ILWU, the head of the Territorial subversive activities commission, the Honolulu Chamber of Commerce, the statehood commission, members of the Federal and Territorial judiciary, members of the Territorial legislature, representatives of the Democratic and Republican Parties, top officials of the sugar and pineapple industries, ranking members of our Armed Forces in the Pacific, members of the faculty of the University of Hawaii, and countless others.

With the exception of the FBI, which was not requested to take a position, these representative and highly placed and knowledgeable people were predominately for statehood and convinced that all existing and future problems could be handled thereunder.

Underscoring the scope and thoroughness of our study, we list below the organizations represented by two or more members which met with us at a session on the island of Maui. The list follows:

East Maui Community Association	Maui League of Republican Women
Haleakala Lions Club	Maui Merchants' Association
Hawaii Government Employees' Association	Maui Outdoor Circle
Hawaii Postal Employees' Association (Maui chapter)	Maui Planters Association
ILWU Local 142	Maui Rotary Club
Kahekili Chapter No. 4, Order of Kamehameha	Maui Teachers Association
Kahului Business & Professional Association	Maui Toastmasters Club No. 910
Kahului Kiwanis Club	Maui Toastmistress Club
Kahului Lions Club	Maui Young Democrats
Kahului Rotary Club	Maui Young Republicans
Kamehameha Alumni Association	Puunene Community Association
Kihei Community Association	Republican Party
Lahaina Improvement Association	United Public Workers
Maui Chamber of Commerce	Wailuku Improvement Association
Maui County Committee on Children and Youth	Wailuku Professional and Businessmen's Association
Maui County Medical Society	Club 100
Maui District Nurses Association	DAV
Maui District PTA	Maui AJA Veterans Club
Maui Junior Chamber of Commerce	442d Veterans Club
	West Maui Veterans Club
	Hawaiian Airlines
	TPA Aloha Airlines
	Farmers' Home Administration

OTHERS

Harold W. Rice, Senator from Maui County for 6 terms.
 R. R. Lyons, chairman, Maui Economic Development Association.
 C. H. Burnett, Jr., manager, Kahului Railroad Co.
 W. J. Lanquist, Bishop National Bank, Kahului branch.
 Jack Vockrodt, Bank of Hawaii, Kahului branch.

Donald H. Tokunaga, general manager, Budget Finance Plan.
Mrs. Ben Baker, public relations, Girl Scouts.
James Ohta, Maui Scout executive.

PRESS

Hank Sato, Maui News.
Lou Head, Honolulu Advertiser.
Charlie Young, Star Bulletin.
Jack Teehan, Star Bulletin.

Your committee took a long look at the effect of communism in the islands since communism is the prime target of many of those opposing statehood.

We were told by those in positions to know there was no evidence to indicate or prove that those men and women who had previously been named by congressional committees or convicted in the Federal court under the Smith Act of being Communists or affiliated with the Communist International had changed their Communist status or connections. None of them had even offered to go before any Government official, either of the Federal or Territorial Government, disclaiming such previous connections or beliefs.

On the other hand, Jack Hall, regional director of the ILWU, named in all committee reports as having been a card-carrying Communist and member of the Communist International and who, with five others active in ILWU, was indicted and found guilty in Federal court of violation of the Smith Act, making it a criminal offense to advocate and teach the overthrow of the Government by force, told your committee that he and the other members of the ILWU would take an oath they had not been affiliated with the Communist International for the past 5 years. It is, however, interesting to note that he had offered none of his services, knowledge, or information either to the FBI or to the subversive activities committee of the Territory.

In fairness, the committee also wishes to point out that the ILWU organization maintains not only a well-staffed and well-equipped main office in Honolulu but a county office on each of the island subdivisions with a staff of several employees, a labor hall with dormitory and recreational facilities. It has representatives in each district or plantation whose job it is to maintain close contact with workers and members of the organization. These district officials meet on union business in Honolulu every 60 days—one of which meetings we attended. These meetings, in addition to the publications of the organization, are an effective means of transmitting and distributing union ideas, ideals, and purposes throughout the islands. They could be made use of for political purposes, purposes of propaganda, etc.

The committee was informed, however, that known Communists had not been elected to high Territorial offices. Union support seems to have gone primarily to liberal candidates, and in instances, without seeming regard to political affiliation of the candidate.

On the other side of the coin, it should be pointed out that no present State in the Union is attempting to do the kind of effective anti-Communist work that is being done on the islands. The Territorial legislature has authorized and established a Territorial subversive activities committee which reports to but is not subservient to either the Governor or the legislature. It is headed by William B. Stephenson. Cooperating with the FBI they have complete files on all named and known Communists and have complete information on subversive activity.

In addition, there is an organization of patriotic men and women known as IMUA with the dedicated purpose of keeping the public informed on anti-American activity. It has an office, a staff, all available information and files and, through use of the radio, television, and newspapers, keeps the public informed, not only as to activity of Communists and the threat of communism but also on facts concerning the activity of those known to be or to have been connected with the Communist movement. It is probably safe to say that the public in Hawaii is kept better informed on the threat of communism than is the public in any similar community on the mainland.

There are about 25 identified Communists in Hawaii. We have no exact knowledge as to the number of so-called fellow travelers but investigating agencies told us they know of no additional Communists since the previous congressional reports. We were unable to find any evidence in the social fabric of Hawaii that communism had made any substantial progress or that the community as a whole was unable and unwilling to cope with the problem.

We were told that the FBI investigations, plus the Federal court convictions, had "crippled" the Communist apparatus in Hawaii and that, with the continued white light of publicity and the alert citizenry, it would remain crippled.

We also were told that no proof exists of Soviet espionage contacts on the part of Communists in Hawaii.

We would like to be able to report that the day is imminent when there will not be a single Communist in Hawaii, but that would be the utopia which our States also desire but cannot achieve.

The important question is whether the communism which exists can and will be controlled. We so believe.

The economic control of the islands by the ILWU, some leaders of which have been identified in the past as home-grown or mainland-imported Communists, goes without saying. That union, with more than 20,000 members, can and has tied up the civilian docks. It can and has idled the sugar and pineapple industries, arch stones of the islands' economy. The question is whether that power can or has been used for bargaining or subversive purposes, or both.

We deplore the stupidity of the political strike which was called by ILWU leaders 2 years ago when the Eastland committee went to Hawaii for hearings on communism. It should be noted, however, that two-thirds of the ILWU workers refused to engage in that strike. It was stated to us, moreover, that some of those who did strike felt they were protesting, not the Communist inquiry but what they regarded as an antilabor move.

We cannot pass judgment on the motives of those who did strike nor can we minimize the danger of any political strike. However, it should be noted that the crippling of the islands' economy, regardless of motive, would be as harmful to the interests of Hawaii and the mainland whether Hawaii were a State or a Territory. We should point out that some labor unions in some strategic parts of the United States have power to cause economic havoc and that, in a few instances, certain leaders in those unions have been identified as Communists.

Our committee, from past experience, knows that the major argument against statehood for Hawaii will be, as it has been in the past, the contention that the Communist apparatus in Hawaii, especially

that part linked with ILWU leadership, is so powerful that, in the event of statehood, it could and would be able to elect to the governorship, the legislature, the courts, and the United States Congress Communists or persons soft toward communism. One Member of Congress has stated that 3 or 4 Soviet agents would be elected to Congress.

With this we must disagree sharply. The voters of Hawaii would never permit that to happen.

The ILWU, it is conceded, is a strong political force, comprising about one-ninth of the labor forces on the islands. Its leaders have engaged in political activities, backing and opposing candidates and issues.

It is true that ILWU-endorsed candidates have been elected, but in many instances they would have been elected without the support of ILWU leaders because of their general popularity.

The ILWU fought tooth and nail against the proposed Honolulu city charter, but it was approved by 4 to 1.

The ILWU opposed vigorously the Territorial law permitting seizure of the dock fronts by the Government. The legislature enacted it anyway. The union repeatedly sought its repeal and failed.

In the most recent elections numerous ILWU-backed candidates, some of whom were union leaders, were soundly defeated. In other instances the ILWU sought to "fatten its batting average" by endorsing candidates who were sure to win anyway. Despite this strategy, the union made a poor showing.

We are convinced that where a community or a State is dominated by Communists or has a substantial number of Communists their efforts show up in the vulnerable field of education. We spent many hours in the schools of Hawaii, from the elementary schools to the colleges. If the Communists sought to plant their evil seed there, it fell on extremely barren ground. That was attested to by our own observation and the solemn assurances of educators and clergymen.

During our visit to the University of Hawaii, we spent considerable time with the president, some regents, and some faculty members. We learned that most of the faculty came from colleges on the mainland, all the way from the west coast to the east coast. We asked these men the straight question:

"Have you found your student body receptive to or alined with communism?"

This was the answer:

"We find less interest in communism in the University of Hawaii than in most of the mainland colleges, particularly in the East."

Because of claims in some quarters that because of the oriental strains in the mixed population of Hawaii the people are less loyal to the United States than are their fellow citizens on the mainland, we looked closely into that subject.

We, all of us, saw and met in Hawaii an intelligent, gentle, loyal people of whom our Nation should be proud. We saw the actual operation, without strain or stress, of the American "melting pot" of which we speak so proudly and do so little to achieve in some of our larger mainland cities.

If the races on the mainland, races stemming back ethnically to other lands, were to mix as successfully as they already have in Hawaii, our democracy would be advanced by a century.

It is absurd to question whether the people of Hawaii would be loyal in the event of some future war or disagreement with nations from which they have their ethnic strains. It is absurd because the test has already come and been weathered magnificently. Proof of the loyalty of these people is written in bloodshed on the battlefield, in battle stars, in the records of military intelligence and the FBI. It is written on the gravestones of countless military dead.

All the members of your committee had important roles in the 85th Congress in winning statehood for Alaska. Admission of that 49th State, after years of frustration, greatly simplified our work in Hawaii and lessened our task in preparing this report, because—

1. No longer is it necessary to answer the contention that 575,000 people in Hawaii should not have the same number of United States Senators as existing States, such as heavily populated New York, California, and Pennsylvania. We gave the 212,000 people of Alaska 2 Senators.

2. We do not have to answer the possible claim that Hawaii might not be able to support statehood economically. Hawaii is much more advanced economically, as of now, than is Alaska.

3. Creation of the 49th State out of the Territory of Alaska ended the alleged precedent that we should not admit as States Territories noncontiguous to the other States. Many miles of foreign land lie between the first 48 States and the new 49th.

We found little sentiment for commonwealth in Hawaii, less than in Alaska prior to statehood. We believe the people of Hawaii, except for a rather articulate minority, favor statehood by at least as wide a margin as did the people of Alaska, who voted 5 to 1 for statehood last fall.

When a Territory seeks statehood, as now does the last remaining incorporated Territory under the American flag, it is fair to ask what the new State will have to offer the rest of the Nation. We spoke of oil and other largely undeveloped resources when we were asked the same question about Alaska, but we believe our greatest resources are our human resources, abundantly present in Hawaii.

We believe that admission of Hawaii, with its mixed races and its geographical position, will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly.

This is the considered opinion of the military men in charge of our vital interests in the Pacific. They, and we, know what those 800 million people in the Pacific area will say if we deny statehood to Hawaii after granting statehood to Alaska.

They will say that our protestations of regard and friendship are untrue and that we have denied full brotherhood to American citizens because many of them come from the same ethnic lines as those we call friends in an area vital to our very existence as a nation.

Your committee went to Hawaii in an objective mood. We performed our task as best we could. We know all the difficulties and dangers. But we also know the people who will administer the new State. Calmly and soberly, we urge that the 86th Congress, as soon as possible, place in the flag a 50th star called Hawaii.

HON. LEO W. O'BRIEN, *Chairman.*

HON. B. F. SISK.

HON. E. Y. BERRY.

Mr. BERRY. There is one point I would like to add, Mr. Chairman: When we were in Hawaii we attended a briefing of the Governors of the Western States being held there at that time, which we just happened to get in on, a briefing by Admiral Felt, the British commander of the Pacific.

Following the briefing I asked this question of the admiral: "What would be the effect of our admission of Hawaii to the Union at this time on our posture in the Far East?"

His reply was that, after admitting Alaska to the Union, if we did not now admit Hawaii it would seriously hurt our posture in the Pacific.

There is one question I would like to ask, Mr. Secretary.

On the question of communism, do you know of any State in the Union that has its own un-American activities committee serving the Governor and serving the legislature in about the same capacity as the Un-American Activities Committee of Congress?

Secretary SEATON. Congressman Berry, there may be similar cases, but I must say that I am not aware of any.

Mr. BERRY. You would agree that the Territory of Hawaii has done a very exceptional job of attempting to ferret out Communists and keep the public informed of their activities, probably more than any other State in the Union?

Secretary SEATON. Mr. Berry, to my own personal knowledge and observation, the Territory, through the agency of which you spoke and public interest, has done a magnificent job in this area of keeping the public aware of communism and its objectives as they change from time to time, always with the central idea but as the pertinences may change.

I have also been so advised by other officials of the Government, who are in a better position to know perhaps than I, that Hawaii has done a most commendable job in this respect.

Mr. BERRY. I think that is all, Mr. Chairman.

Mr. O'BRIEN. Mrs. Pfof.

Mrs. PFOST. Mr. Chairman, I would like to ask Secretary Seaton, about the tremendous quantities of bauxite ore that have been discovered in Hawaii. Can you tell me the location of the bauxite ore discovery, Mr. Secretary?

Secretary SEATON. I believe, Mrs. Pfof, that the original discovery was made on the island of Maui.

Mrs. PFOST. Is it found on the other islands, as well?

Secretary SEATON. Yes, there is evidence to that effect.

Mrs. PFOST. Thank you very much.

Mr. O'BRIEN. Mr. Westland.

Mr. WESTLAND. Mr. Chairman, I have no questions. The Secretary has presented the case for statehood for Hawaii in an extremely well-illustrated manner, in my opinion. It seems to me he has answered many questions I had.

I might say, I was fortunate to spend a little time there during the war and found the people to be extremely generous, good American citizens.

I have had some question in my mind since then about Mr. Bridges and his operations in the Territory. I am delighted to know that the Legislature of Hawaii has seen fit to take the action it has with

respect to Mr. Bridges and with respect to fairly well-known Communists in that area.

I can only say I trust they will pursue that same attitude and continue to be vigilant, because if there is a Communist cell operating in that area they are in an extremely strategic part of the world.

I have been satisfied as a result of the subcommittee meetings in Hawaii. I have read their report and I consider their report to be an excellent one. I have great faith in their judgment. I am sure they are just as concerned as I am, or as I have been.

Again let me commend you, Mr. Secretary, for the manner in which you have conducted your appearance.

Mr. O'BRIEN. Mr. Haley.

Mr. HALEY. Mr. Chairman, is it my understanding that the Secretary will return here for further questioning, or do you intend to end the questioning of the Secretary today?

Mr. O'BRIEN. I intended to ask the Secretary about that, because I have been aware of the passage of time and your other commitments. Of course, we cannot meet this afternoon. If we could the Secretary could not be here. I do hope we can meet tomorrow, and if the House is not in session then we can meet tomorrow afternoon as well as in the morning. I am anxious that all members of the committee have an opportunity to ask questions of the Secretary because of his background and knowledge in this matter.

Mr. Secretary, when might you be available again?

Secretary SEATON. Mr. Chairman, I feel this matter is of such importance that I would, of course, make myself available no matter what changes we have to make in my schedule so far as they are under my control.

As to tomorrow morning, I am scheduled to appear before the House Appropriations Committee, and that, I assume, would preclude my being here tomorrow morning. I would make myself available at any other time that is convenient to the chairman and members of the committee.

Mr. O'BRIEN. Then tomorrow afternoon or Wednesday morning.

Secretary SEATON. If the Appropriations Committee, Mr. Chairman, will dismiss me, I would be very glad to be here tomorrow afternoon.

Mr. O'BRIEN. Fine. Let's assume if you can be here tomorrow afternoon you will be; if not, you will make an effort to be here Wednesday morning.

Secretary SEATON. Yes.

Mr. O'BRIEN. I think that would probably cover the situation. Do you not think so, Mr. Haley?

Mr. HALEY. Yes.

Now, Mr. Chairman, if I may proceed for just a moment, I have a couple of questions I would like to ask and then reserve my time.

Mr. O'BRIEN. Yes.

Mr. HALEY. Thank you, Mr. Chairman.

Mr. Secretary, apparently one of the arguments that has been used for statehood for Hawaii is the fact that it has been said that both political parties included admission of Hawaii for statehood in both political platforms. Do you use that argument too?

Secretary SEATON. Not as a primary argument, Mr. Haley. It is a matter of record, however, sir.

Mr. HALEY. Mr. Rogers, the gentleman from Texas, asked you concerning Puerto Rico. Was not a plank also included in the Republican platform of 1952 and again in 1956 in regard to the admission of Puerto Rico to statehood?

Secretary SEATON. Mr. Haley, I recall that it was part of the Republican platform in 1952. I do not recall it was part of the Republican platform in 1956. In any event, whether my memory is faulty or not, the status of Puerto Rico was changed in the interval and she was granted what is referred to as a commonwealth status.

I am also, as I have said earlier, certainly not aware of any desire on the part of the people of Puerto Rico to become one of the States of the Union. I think that has been rather clearly indicated as a result of certain elections that they have held.

Mr. HALEY. You are not aware of any movement, then, in the island of Puerto Rico to obtain statehood?

Secretary SEATON. Not of any successful movement, at any rate, sir.

Mr. HALEY. On page 6, Mr. Secretary, you make reference in paragraph 2 and again in paragraph 7 as to the fighting ability or the bravery of the people of Hawaii. I think that has been clearly demonstrated. But you also say, in paragraph 2, "Not one committed an act of cowardice in the face of the enemy."

Do you mean by that, Mr. Secretary, to reflect on the bravery of any State in this Union and the men who served in the Armed Forces?

Secretary SEATON. Oh, no, of course not, Mr. Haley.

Mr. HALEY. Why then—

Secretary SEATON. What I mention here simply comes from information furnished by the Department of Defense.

Mr. HALEY. Why then is this an issue?

Secretary SEATON. I do not know it is an issue, sir. But the questions were raised, and they are a matter of record, that at the time of the outbreak of hostilities certain people, sincere enough, I presume, publicly questioned either the advisability of sending Hawaiian troops into the Korean area and also questioned whether they would be loyal in the face of an enemy which had some of the same racial background as had they. It was because of that being a part of the record at that time we feel impelled now to give this committee the benefit of the true record of what ensued. No reflection on anybody intended.

Mr. HALEY. I am glad to hear you say that, Mr. Secretary, because it would seem to indicate to me—you say further, "not one became a turncoat or rejected repatriation to the United States."

Maybe we had some turncoats, but I do not think we had any from my State at least.

Mr. ASPINALL. Mr. Chairman, if my colleague will yield at that place so that the record can be firmed up here.

Mr. HALEY. I will be glad to yield to the gentleman from Colorado.

Mr. ASPINALL. It is a fact, is it not, Mr. Secretary, that there were instances of defection to the enemy, and that in those instances some of our troops did defect and did stay with the enemy in their own area, and that there are instances where members of our troops defected and furnished information while they were prisoners against their comrades. That is all a matter of factual history; is it not?

Secretary SEATON. Yes, sir; unfortunately it is.

Mr. ASPINALL. And there is not one of those, as far as the Defense Department can determine, who was a resident of Hawaii or a native of that area?

Secretary SEATON. That is right, sir.

Mr. HALEY. Mr. Secretary, on page 7, in your second paragraph, you state:

The grant of statehood to Hawaii will prove to the world—and particularly to Asia—that we practice what we preach.

The gentleman from Texas went into that. Just what are we preaching to the world and particularly to Asia? I would like to know what the administrators have been saying.

Secretary SEATON. Well, Mr. Haley, the paragraph immediately preceding that one says, and I quote:

This Nation has lived and grown great on the principles of dealing fairly with all its people—

and “it’s people” certainly includes the Hawaiians—

and granting equal rights to all of those able to fulfill their responsibilities * * *

Now the granting of equal rights has been a matter of record for 172 years. We think we have substantiated completely our case that they are able to fulfill their responsibilities. [Continuing:]

and share in carrying the common burdens.

And it is my considered belief that the Hawaiians have long since demonstrated their ability in carrying the common burdens.

Then we go on to say the same principles apply to Hawaii.

Now to me, sir, that, in essence, is what we have been preaching as being reflective of what we call Americanism.

Mr. HALEY. Have not the policies of this Nation been such that we do not have to go out and prove anything? Has not our treatment of people all over the world shown the other nations of the earth that we want to treat them fairly?

Secretary SEATON. I could not agree with you any more, sir, and I would like to believe that the world always understands from day to day and year to year that is exactly the way we intend to treat other people.

The world being what it is, there are occasions—we think this is one of them—when we have to make a new demonstration of our dedication to the principles upon which this Government was founded. I wish it were not so, but evidently it is from time to time.

Mr. HALEY. You say “particularly to Asia.” What do we have to prove to Asia we have not already proven?

Secretary SEATON. Mr. Haley, if I may, I would like to go back to what Mr. Berry said about the briefing which he and other members had by Admiral Felt; that here you have in Hawaii American citizens of mixed races, many of which are derived from Asia and that area; that the admiral felt, particularly since Alaska had been granted statehood, that if we were now to refuse the same privilege to the Territory of Hawaii it would impair our situation in Asia. I think that is a very fair conclusion.

Again I do not think, as I said when I discussed this first, that is the sole issue involved, but it is one of them.

Mr. HALEY. Mr. Secretary, do you not think that the population of Alaska, being made up primarily from the 48 States of this Nation, do you not think that probably they were deserving consideration? Many of them have been residents of the States and had gone to Alaska. Do you not think probably we took less chances there where we had people of our Nation, you might say, that made up that territory? Do you not think there is a different situation there than there is here?

Secretary SEATON. Mr. Haley, I certainly agree with you that those people resident in Alaska prior to statehood were deserving of consideration, as you put it.

I must say, when we granted statehood to Alaska, when we did that, we also granted the full privileges of statehood to approximately 40,000 Indians, Eskimos, and Aleuts.

Further, in answer to your question, implied at least, as to whether I would think the Alaskan citizenry deserved more consideration than the Hawaiians because the Alaskans in the main came from the States whereas that is not necessarily the case in Hawaii, my answer to that, sir, must be: "No, I do not think that the people who are resident in the Territory of Hawaii, simply because many of them are of a race of mixed strain, are any less deserving of statehood than are the people of Alaska or of Nebraska."

Mr. HALEY. Mr. Secretary, do you have a chart or anything that you could furnish this committee that would show the percentage of population of the Territory of Hawaii as to the background?

Secretary SEATON. Yes, Mr. Haley, we do. One of the studies which we have on hand is a copy of Senate Report 1164, the 85th Congress, the 1st session. I think I recall that there is a similar report which was prepared at one time and submitted to this committee by members of this committee.

Mr. HALEY. Mr. Chairman, would it be in order to ask that table be made a part of the record at this point in the proceedings?

Mr. O'BRIEN. I do not think there would be any objection. I assume it would carry with it the connotation that these people are all American citizens.

Mr. HALEY. If there is objection, I will read it into the record.

Mr. O'BRIEN. Without objection, it is so ordered.

(The information follows:)

Population of Hawaii by race, 1900-1950¹

Race	1900 ²		1910 ³		1920 ³		1930 ³		1940 ³		1950 ³	
	Population	Percent	Population	Percent	Population	Percent	Population	Percent	Population	Percent	Population	Percent
1. Hawaiian.....	28,718	18.6	26,041	13.6	23,723	9.3	22,636	6.1	14,375	3.4	(4)	---
2. Part-Hawaiian.....	9,536	6.2	12,506	6.5	18,027	7.0	28,224	7.6	49,935	11.8	486,091	17.2
3. Caucasian.....	26,252	17.1	39,158	20.4	49,140	19.3	73,702	20.0	103,791	24.5	114,793	23.0
4. Chinese.....	25,762	16.7	21,674	11.3	23,507	9.2	27,179	7.4	28,774	6.8	32,376	6.5
5. Japanese.....	61,115	39.7	79,675	41.5	109,274	42.7	139,631	37.9	157,905	37.3	184,611	36.9
6. Korean.....	---	---	4,533	2.4	4,950	1.9	6,461	1.8	6,851	1.6	(5)	---
7. Filipino.....	---	---	2,361	1.2	21,031	8.2	63,052	17.1	52,569	12.4	61,071	12.2
8. Puerto Rican.....	---	---	4,890	2.5	5,602	2.2	6,671	1.8	8,296	2.0	(5)	---
9. Negro.....	---	---	695	.4	348	.1	563	.2	255	.1	(5)	---
10. Other.....	2,618	1.7	376	.2	310	.1	217	.1	579	.1	20,852	4.2
Total.....	154,001	100.0	191,909	100.0	255,912	100.0	368,335	100.0	423,330	100.0	499,794	100.0

¹ Statehood for Hawaii, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 81st Cong., 2d sess., on H.R. 49 (Washington, U.S. Government Printing Office, 1950), p. 91.

² United States census figures, except that the number of Hawaiians and part-Hawaiians has been corrected in accordance with the 1937 report of the Joint Committee on Hawaii, S. Doc. No. 151, 75th Cong., 3d sess., p. 38.

³ United States census.

⁴ This classification, in 1950, includes all persons who are part-Hawaiian as well as full-blooded Hawaiians.

⁵ Included in "Other" for 1950.

Mr. HALEY. Mr. Chairman, I reserve the balance of my time.

Mr. O'BRIEN. Mr. Collier?

Mr. COLLIER. No questions.

Mr. O'BRIEN. Mr. Ullman?

Mr. ULLMAN. No questions.

Mr. O'BRIEN. Mr. Cunningham?

Mr. CUNNINGHAM. I have one thing I want to ask. I appreciate the fine statement you have given.

On page 6, in the first paragraph, it says:

In 1949, when a prolonged dock strike threatened the economy of the Territory, the Territorial legislature, notwithstanding the most severe pressure in opposition, enacted laws,

and so forth.

I think that is to be commended. However, sometimes the pressure is less severe in the beginning and mounts as time goes on. I see they have withstood that pressure now for sometime.

I am wondering if you would have an observation as to whether or not statehood would strengthen the legislature in the preservation of these laws or whether there would be something that, if statehood were granted, would cause this pressure to grow faster or more rapidly and to eventually perhaps cause the overthrow of these laws.

In other words, what I am saying is that this is a major thing which bothers all of us, and they have made their stand so far. But do you see anything in enacting of statehood that would effect those laws to the good, or would there be anything present you could think of that would tend to weaken those laws?

Secretary SEATON. Mr. Cunningham, because of my own personal profound belief in the American system of government I cannot help but believe that, if Hawaii were to be granted statehood, her stand on this question and all of the questions involving order would be strengthened. If I did not believe that, I could not believe in the United States of America.

Mr. CUNNINGHAM. You are closer to it than certainly most anyone else, and that is why I asked the question. I am glad to hear you feel as though statehood would not weaken these laws or cause them to be weakened in any way.

That is the only question I have, Mr. Chairman.

Mr. O'BRIEN. Mr. Anderson.

Mr. ANDERSON. Mr. Chairman, I made two trips to Hawaii and I will get on record later my conviction that it is important to bring Hawaiian statehood to accomplishment without any delay.

Mr. Chairman, I do want to take just a few seconds to take advantage of this opportunity to express my appreciation to the Secretary of Interior for the assistance he rendered me in my last campaign for reelection. [Laughter.]

Secretary SEATON. The gentleman is welcome.

Mr. ANDERSON. I am told that I am the first Democratic candidate for the United States Congress to ever carry Yellowstone County, which is the largest in my district, and I have been advised that the campaigning of the Secretary of the Interior in the city of Billings, which is the largest city in my district, at least partly is responsible. I wanted to take this opportunity to express my gratification.

Mr. HALEY. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HALEY. I am glad to hear the gentleman make that observation because the Secretary apparently in his campaigning in Alaska did not have quite that kind of success.

Mr. ANDERSON. I think he had the same kind of success in Alaska that he had in Montana.

Mr. ASPINALL. Mr. Chairman, I ask that such matters as this be kept out of these hearings. The Secretary's former predecessor, who was a member of my party, saw fit to go out and do some campaigning. In some places he was perhaps more successful and in other places was not so successful as the present Secretary.

All of us get ribbed quite a good bit for our partisanship and efforts in behalf of the party, and I think that is all understood. But I hope we will not color up this hearing with such matters.

I say that with all understanding of my good personal friend's—the Secretary's—activities, as far as that is concerned. He reserves the same right to me.

Secretary SEATON. I join the Chairman in that.

Mr. O'BRIEN. I might say, Mr. Aspinall, all of us have had experience of campaigning for people who did not get elected.

Mr. LANGEN?

Mr. LANGEN. No questions.

Mr. O'BRIEN. Mr. Saund?

Mr. SAUND. No questions.

Mr. O'BRIEN. Mrs. Simpson?

Mrs. SIMPSON. No questions.

Mr. O'BRIEN. Mr. McGinley?

Mr. MCGINLEY. No questions.

Mr. O'BRIEN. The gentleman from Alaska?

Mr. RIVERS. Mr. Chairman, I have a couple of questions, and I want to say that I consider that you, Mr. Secretary, have exhaustively stated the case for statehood for Hawaii, and that I would be proud to have been able to evaluate the case as well as you have done.

I wanted to bring up the point in regard to the inquiry of the gentleman from Texas to how far this will go, where will the dividing line be in granting State status throughout the world—generally the route of statehood is through an initial grant of organized territoriality, is it not?

Secretary SEATON. That is right sir.

Mr. RIVERS. And if Cuba were to inquire about becoming a State, the question would first arise as to whether or not we would take Cuba in as an incorporated or organized Territory. Would that not be the case?

Secretary SEATON. That is right, Mr. Rivers. There might even be a question of taking them in at all as either a possession or a Territory prior to taking them in as an organized Territory.

Mr. RIVERS. If we were to entertain a request from the Virgin Islands, would not the Virgin Islands probably first have to go through a period of apprenticeship as an organized Territory?

Secretary SEATON. Following precedences in the Congress, that would be true, yes, sir.

Mr. RIVERS. I mean historically that is the general route?

Secretary SEATON. Yes.

Mr. RIVERS. Then the place to draw the line is not right here now with Hawaii, which has been an organized Territory since 1900, but rather to draw the line the next time that one of these unincorporated areas makes an application, and to decide the question when we decide whether to grant organized territoriality or not. Would not that be the place to draw the line?

Secretary SEATON. That certainly would be within the prerogative of the Congress, Mr. Rivers; yes, sir.

Mr. RIVERS. I see. Now then, on the protection against Communists, is it not a fact that the Federal Government has the jurisdiction to protect the country against Communist cells and the activity of Communists and other subversive elements?

Secretary SEATON. Within the guidance of the laws that exist.

Mr. RIVERS. The FBI generally has complete jurisdiction to chase the Communists everywhere under the American flag, has it not?

Secretary SEATON. I believe so.

Mr. RIVERS. And the protection of our country against subversives is peculiarly a Federal function, is it not?

Secretary SEATON. Yes, that is right.

Mr. O'BRIEN. Will the gentleman yield at that point?

Mr. RIVERS. Yes.

Mr. O'BRIEN. Under our new rules we have a new termination of these hearings at a quarter of 12, and we will do so now with the understanding that the gentleman from Alaska will resume questioning when the Secretary returns either tomorrow afternoon or Wednesday morning, whichever is more convenient. And the gentleman from Florida has reserved his right to proceed with further questions.

Mr. HALEY. Mr. Chairman?

Mr. O'BRIEN. Mr. Haley.

Mr. HALEY. On Committee Print No. 39, offered by the gentleman from South Dakota, I withdraw any objection.

Mr. O'BRIEN. Without objection, the report referred to will be made a part of the record at the point where the gentleman from South Dakota made the motion.

Tomorrow, if there are any Members of Congress who might want to file brief statements we will hear them, and then we will hear Rear Admiral McManes, Deputy Chief of Naval Operations for Administration.

The hearing is adjourned until tomorrow morning at 9:45.

(Whereupon, the committee adjourned at 1:45 a.m. to reconvene at 9:45 a.m., Tuesday, January 27, 1959.)

STATEHOOD FOR HAWAII

TUESDAY, JANUARY 27, 1959

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D. C.

The committee met, pursuant to recess, at 9:50 a.m., in the committee room, New House Office Building, Hon. Leo W. O'Brien, acting chairman of the committee, presiding.

Mr. O'BRIEN. The Committee on Interior and Insular Affairs will be in order for further consideration of H.R. 50 and related bills providing for admission of the Territory of Hawaii into the Union.

Our first witness this morning is Rear Adm. Kenmore M. McManes, Deputy Chief of Naval Operations for Administration.

Admiral, I want to thank you for your patience in standing by yesterday and waiting to give your testimony here today.

STATEMENT OF REAR ADM. KENMORE M. McMANES, DEPUTY CHIEF OF NAVAL OPERATIONS FOR ADMINISTRATION

Admiral McMANES. Mr. Chairman, I am Rear Adm. Kenmore M. McManes, the Deputy Chief of Naval Operations for Administration.

Mr. Chairman, in testifying before this distinguished committee as the representative of the Department of Defense, I shall confine my statement to the military aspects of H.R. 50 and similar bills providing for the admission of the State of Hawaii into the Union.

The portions of H.R. 50 of chief importance to the Department of Defense include those providing for retention by the United States of its interest in all lands held for military purposes. Section 15b of the bill provides that jurisdiction over such lands will be vested in the United States and the State of Hawaii, with reservation to the Congress of the authority to take exclusive jurisdiction on behalf of the United States; however, the United States will continue to have exclusive jurisdiction over such military installations as may be determined to be critical areas.

As these bills would adequately safeguard the needs of the services, the Department of the Navy, on behalf of the Department of Defense, supports their provisions for the admission of Hawaii into the Union.

Mr. O'BRIEN. Does that complete your statement?

Admiral McMANES. That completes my statement, sir.

Mr. O'BRIEN. Apparently you are confining your statement to an expression of the belief that the bill as drawn adequately protects our military interests in Hawaii?

Admiral McMANES. Yes, sir.

Mr. O'BRIEN. Mr. Aspinall?

Mr. ASPINALL. Mr. Chairman. Admiral, do I understand that each one of these bills—and there are two categories—and in each category the position of the Navy is the same?

Admiral McMANES. I think all of them adequately protect the interests of the Department of Defense insofar as the defense aspects are concerned, sir.

Mr. ASPINALL. Mr. Chairman, I yield to the Delegate from Hawaii at this time to follow through on the question I just asked.

Mr. BURNS. Mr. Chairman, thank you very much.

The particular matter in point is a section which appears in H.R. 888, section 5d, which does not appear in H.R. 50.

Admiral McMANES. Yes, sir.

Mr. BURNS. Can that be left out of the bill, or is that desired? I do not have any reference to critical areas or anything else.

Admiral McMANES. Yes, sir. If we do not leave in that provision, sir, regarding the extension for 5 more years of section 91 of the Hawaiian Organic Act, H.R. 50 and similar bills would result in the following:

They would confirm title, possession, and management of the United States in lands withdrawn for Federal use. Now we have no objection to that.

They would also transfer complete fee title in the rest of the ceded lands, which have not been withdrawn for Federal use, to the State of Hawaii. Now that we do not like because at the present time we hold those lands under license. It would require, when Hawaii becomes a State, that we renegotiate with the State of Hawaii, and undoubtedly there would be rentals charged for that land.

We would be deprived of the continued use without cost of about 114,000 acres of ceded land now occupied under Territorial license. We would be obliged to pay the market value for the lands which may be needed in the near future.

This period of 5 years gives us an opportunity to negotiate with the State of Hawaii for the purpose of, shall we say, determining the conditions under which we can continue to occupy the land, and what the cost of it will be.

Mr. BURNS. Your concern then, Admiral, is with lands which you presently have custody of or usage of, regardless of the method in which you use them?

Admiral McMANES. That is correct, sir.

Mr. BURNS. And not over the possibility or the potentiality of taking any further lands?

Admiral McMANES. No, sir.

Mr. BURNS. I think that answers the question, sir.

Mr. O'BRIEN. Mr. Berry?

Mr. BERRY. No questions.

Mr. O'BRIEN. Mr. Edmondson?

Mr. EDMONDSON. Mr. Chairman, I was also concerned about that provision of subsection d and about the take-back provision that applies. I am glad to get the assurance that nothing is contemplated other than lands now presently in use for military purposes.

Admiral McMANES. Yes, sir.

Mr. BURNS. Will the gentleman yield?

Mr. EDMONDSON. Yes, I yield.

Mr. BURNS. As I understand the admiral's statement, we can so amend the bill to secure that which he wants to bring about without objection from the Department.

Mr. EDMONDSON. I think that might be desirable.

I have no further questions.

Mr. BURNS. I thank the gentleman.

Mr. O'BRIEN. Mr. Sisk?

Mr. SISK. May I make this inquiry of the Chair: Is there anyone else from the Military Establishment in the Territory that will be testifying before the committee?

Mr. O'BRIEN. There is no present plan to have anyone from the Military Establishment in the Territory. I believe we will have to stand in that respect on the information the special subcommittee gathered from conversations with the military in that area. As you know we talked with Admiral Felt and practically his entire command one day.

Mr. SISK. My only point, I might say to the Chair, in the parliamentary inquiry was whether or not the record would be amply clear with reference to any possibility of any tieup of the military with reference to any labor problems or other problems that might exist. I had in mind the possibility of reestablishing in the record that type of statement. I think at this time I will forego the question to the admiral.

Mr. O'BRIEN. The gentleman from California may, if he desires, ask the admiral the degree of cooperation received from the people in Hawaii as compared with people in other areas, where there are military operations. I assume it would be perfectly proper to ask him any questions you may have in mind about the loyalty of the people in that area.

Mr. SISK. I do not think I shall do that.

Just one question, Admiral. So far as you are aware has there been any tieup or any holdup of munitions, the things that are needed at Pearl Harbor or with reference to the Military Establishment, in any way bought on by any action of labor or anyone else in the islands in recent years?

Admiral McMANES. I have no knowledge of anything whatsoever in that category, sir.

Mr. SISK. Thank you.

Mr. O'BRIEN. Judge Saund.

Mr. SAUND. No questions, Mr. Chairman.

Mr. O'BRIEN. Mr. McGinley?

Mr. MCGINLEY. No questions.

Mr. O'BRIEN. Mr. Rivers?

Mr. RIVERS. No questions.

Mr. O'BRIEN. Mr. Burns?

Mr. BURNS. No questions.

Mr. O'BRIEN. Thank you very much, Admiral. I imagine you are somewhat surprised at the complete acceptance of your testimony. Thank you very much.

Admiral McMANES. Thank you very much, Mr. Chairman.

Mr. O'BRIEN. Is George D. Riley present?

If not, is Mike M. Masaoka present?

Mr. MASAOKA. Yes, Mr. Chairman.

Mr. O'BRIEN. I understand you are the Washington representative of the Japanese-American Citizens League? Is that correct?

Mr. MASAOKA. Yes, sir.

Mr. SISK. Mr. Chairman, might I make a comment before the gentleman testifies?

Mr. O'BRIEN. Mr. Sisk.

Mr. SISK. I just want to say I am very happy to welcome before this committee Mike Masaoka, who happens to be a good friend of mine and represents a great many people in my area. I simply want to commend him on the fact we have him before the committee here this morning. Thank you.

Mr. ASPINALL. Will the gentleman yield to me?

Mr. SISK. I will be happy to yield.

Mr. ASPINALL. He not only represents your area but he represents the people of his nationality throughout the Nation, and he does a very fine piece of work. Mr. Masaoka, it is a pleasure to have you here this morning.

STATEMENT OF MIKE M. MASAOKA, WASHINGTON REPRESENTATIVE, JAPANESE-AMERICAN CITIZENS LEAGUE

Mr. MASAOKA. Thank you, Mr. Chairman and Mr. Sisk.

Mr. Chairman, I have no prepared statement. However, I am here on behalf of many American citizens in your respective areas to endorse very heartily statehood for the long-deserving Territory of Hawaii.

Many of us served in World War II with our fellow Americans of Japanese ancestry from Hawaii, and we can attest their valor on the battlefield.

Many more of us served with them also in Korea, and there again we can attest to their loyalty.

As many of you know, in World War II, Americans of Japanese ancestry were suspect because of the accident of our birth. Many of us were placed under mistreatment, if you will, by our Government. Yet those of us on the mainland of the United States and the Territory of Hawaii had enough faith and vision in the American way that we volunteered for combat duty with the Armed Forces of our country.

Some of you will recall that, because of the attack by the Japanese military on Pearl Harbor on December 7, 1941, the Selective Service and our Army decided that they would not ask Americans of Japanese ancestry to serve in our Armed Forces.

As a matter of fact, they decided that we were not wanted.

But a great number of us, thousands of us in fact, in Hawaii and in the mainland, demanded the right to serve our country and we demanded that right, not to serve in the supply forces or in the rear areas, but we demanded the right to serve in combat.

Those of us who could not speak the language too well served in Europe, many in the same 442d Regimental Combat Team which has been described as the most decorated American military unit for size and length of service.

Others, who were able to speak the language, served in a more difficult, though less-publicized activity. They served as part of the military intelligence in the Pacific against people who looked like them.

In many ways they contributed far more, perhaps, to the winning of the war in the Pacific than they have been given credit for.

In Europe we had some idea of the battle operations of the Germans. In the Pacific we had no idea whatsoever of the battle plans of the Japanese. Yet Japanese-Americans, knowing the language, often did counterespionage, often did very hazardous work at the risk of double jeopardy, at the risk of being captured by the Japanese and being treated as perhaps no other American soldiers would be treated, and also at the risk, which some of them faced, of being shot by their fellow Americans.

And throughout this entire gamut, gentlemen of this committee, more Americans of Japanese ancestry, on a percentage basis, served in World War II than any other nationality group in the United States.

There were those who said that, because of the color of our hair and the slant of our eyes, and because of our affinity to the Japanese enemy, we could not be trusted. Yet in the handling of thousands of pieces of military, naval, and Air Force intelligence in the Pacific there was not even a single mistake caused by an American of Japanese ancestry.

As one who was proud to serve with the 442d Regimental Combat Team in Italy, I want to say that perhaps of all Americans that served in World War II, we are realizing what we fought for. We fought for recognition of our loyalty as Americans. And today we are continuing the fight, which we hope will soon be achieved, for recognition of the ability to be citizens in the Territory of Hawaii on the same basis as our fellow Americans everywhere.

I think I need not recount to this committee the casualty rate suffered by Americans of Japanese ancestry in World War II. Suffice it to say that over 309 percent of the members who served from Hawaii and the mainland in the 100th Infantry Battalion in the 442d Regiment suffered casualties. Over three times, gentlemen.

In spite of all of that, we have a record that we are proud of because I think that we have proved for once and for all that America is a land worth fighting for, that when the facts are out the American people and the American Government will give all peoples their just due.

Some stories, of course, have been cited from time to time, and unfortunately some of our World War II motion pictures carry on some of the lies, if you will, about so-called espionage at Pearl Harbor by persons of Japanese ancestry. May I repeat again for the record, as it has been repeated over and over again before this committee, the records of the Federal Bureau of Investigation, the records of the Army and Navy intelligence attest to the fact that before, during, and after the attack on Pearl Harbor not a single act of espionage or sabotage was committed by any resident Japanese national or American citizen of Japanese ancestry. Whatever espionage was carried on for the Japanese Government was carried on by non-Japanese. And of course for obvious reasons. The very fact of our color perception make us pretty poor spies.

Coming now to Hawaii, we hear so much of threatened Communist domination of workers in a way, we hear so much about the fact that perhaps the labor unions there exert tremendous influence upon persons of Japanese ancestry and other Americans in Hawaii.

The record, as attested to yesterday by the Secretary of the Interior—and what I want to emphasize again today—is this: Hawaii contributed more than her share in manpower in the Armed Forces in the Korean war, and many of the members from Hawaii who served in Korea were members of the International Longshoremen Workers Union. And in spite of this, to utterly refute the arguments of those who say that this labor union or any labor union commands the dedication and loyalty of these workers, in spite of it there was not a single person, not a single citizen-soldier from Hawaii who defected to the enemy in any way. And without attempting to say anything about the loyalty of other Americans, the rest of us on the mainland, as the chairman, Mr. Aspinall, pointed out yesterday, there were some who defected, unfortunately, from the mainland. But not a single one from Hawaii.

One other aspect that I would like to discuss before closing this plea for a bit of justice to our fellow Americans in the Pacific islands, and that is this:

Sometimes the racial composition of the people of Hawaii is raised as a reason against, as a reason to oppose statehood. It seems to me, as an American of Japanese ancestry, that this very racial composition of Hawaii should today, in this terrible age, be one of the prime reasons why we ought to grant citizenship to the peoples of Hawaii immediately. Because here we not only have a showcase of democracy but we also have the one place in all the world where the peoples of Asia, the uncommitted peoples of Asia, where two-thirds of the peoples of the world reside around the Pacific basin—we have one place where they can look to see what democracy can do.

And those of us who are of Japanese ancestry know that democracy at times in periods of hate and hysteria, as during World War II, does abuse itself. But the remarkable story of democracy in action is this: Once you prove yourself worthy the American Government, certainly this Congress in its evacuation claims and other legislation, has more than compensated the Japanese people for its tragedies and have demonstrated that the American system can correct its abuses and its mistakes.

In the complex of the world situation today, I think it is important that the peoples of Asia realize that Hawaii is an integral part of the Union, that the people of Hawaii, in spite of their racial ancestry, if you will, can vote for the President of the United States, can vote for a Representative in the House of Representatives, can vote for a U.S. Senator, can do every other act of every other citizen in the United States.

Now this perhaps may not seem as important to some of you as it does to the peoples of Asia. But the people of Asia are sorely tried. I think that the great majority of them want to follow the leadership of freedom, but too often they are discouraged. And perhaps one of the most effective single concrete examples of our recognition of Asians as fellow human beings that we want on our side of the struggle for a free and better world would be to give to the people of Hawaii this long-desired goal—statehood.

By every test, by every fair test, the people of Hawaii are entitled to statehood. To deny them this status longer is not only to deny justice and Americanism but also to jeopardize our hold on the free peoples of the Pacific area.

Thus, Mr. Chairman and members of the committee, as an American who, perhaps, understands better than most other Americans the importance of this type of activity on the thinking and the feeling in the hearts and the minds of the more than 2 billion peoples in Asia, as an American who fought in World War II and recognizes the importance of having friends in any kind of conflict, but most of all as an American who believes deeply in the justice of the American way, we urge statehood now, this year, for Hawaii.

Mr. O'BRIEN. Thank you very much for your fine, very eloquent statement.

Of course, you have lived with this problem much longer than I have. I went to Hawaii last fall for my first visit there. One of the things most prominent in my mind while there was the actual working of what we claim our country really is—a melting pot. It is not reserved for the Fourth of July over there; it actually works. I was tremendously impressed by that.

I am sure the other members of the committee feel that you yourself represent the kind of full citizenship we would have if we admit Hawaii as a State.

Mr. Aspinall?

Mr. ASPINALL. Mr. Chairman, I wish to commend the witness for his statement.

I have just this one other thought in mind. Would you not say that inasmuch as you have referred to only one of the obligations of citizenship, that is, the defense of our country in time of war, the loyalty of our people, that the people whom you represent, the citizens of the United States of Japanese ancestry, performed their other obligations of citizenship—and I refer now to payment of taxes, to jury service, to discharge of the duties of public office where they are given the opportunity, to securing an education, and giving special attention to the payment of taxes for educational purposes, and many other activities in which a good citizen must engage—the people of your nationality in America discharge that duty just as loyally and just as ably as they do the duties you referred to in your presentation?

Mr. MASAOKA. Thank you for that contribution, Mr. Aspinall. As you emphasized, the records of the law-enforcement agencies will indicate, as you yourself from Colorado, Mr. Sisk, from California, and Mrs. Pfost, from Idaho, are particularly aware, the law-of-obedience ratio of persons of Japanese ancestry is considerably better than the norm.

The ability of the Japanese-American to stay off of relief rolls and to take care of his own, I think, is well known too. In fact, as you have pointed out, in every aspect of good citizenship and good community living I think Americans of Japanese ancestry have proved that they can not only assimilate the American way but are proud to be a part of it.

Mr. ASPINALL. May I just say, in my own community throughout the last 25 or 30 years I have had neighbors of your nationality, and I have found them possessed of those qualities. That is all, Mr. Chairman.

Mr. O'BRIEN. Mr. Withrow?

Mr. WITHROW. Mr. Masaoka, I have a great deal of respect for you, and I also appreciate the service rendered by your people in cooperating with us in our Armed Forces. But there is one thing that

is in my mind, and that is the question of the public acceptability of statehood. Have you anything to say about that?

Mr. MASAOKA. Do you mean in the United States, sir?

Mr. WITHROW. In Hawaii.

Mr. MASAOKA. I think that there is no question that the people of Hawaii want statehood. They want statehood because it means to them the recognition of the fact that they are accepted by their fellow Americans.

Perhaps before the war, before World War II, there may have been some question regarding the acceptance of the Japanese by fellow Americans throughout America. But I think that after World War II, particularly today when it is a part of our national policy to encourage and promote cordial relations with Japan, that there is no question but the acceptance of the loyalty of people of Japanese ancestry in the United States is greater than it has ever been.

I think on statehood, too, it is the desire of Americans to see Hawaii granted statehood as part of the Union, and it is greater than it has ever been. I think the Gallup poll and other polls so indicate. I think the various polls taken in Hawaii, both officially and unofficially, would indicate that overwhelmingly the people of Hawaii and the people of America desire statehood for Hawaii.

Mr. WITHROW. I had in mind the people of Hawaii, if they were willing to accept it and if the majority of the people there wanted it. That is a question that has not been settled in my mind as yet.

Mr. MASAOKA. I believe in the various plebiscites taken in Hawaii, particularly in reference to the establishment of the constitutional convention for the writing of their constitution and the selection of their delegates to Congress, they have indicated in every way possible not only their desire but their great hope for statehood.

I think it is difficult, perhaps, for many of us who enjoy statehood as a matter of birth, it is difficult for us to appreciate the psychological and the other great—I do not know quite how to put it, but just the passion to enjoy statehood. This may be an awkward way and may not be a good illustration, but as an American citizen born in California, in fact, in the very city represented by the Congressman from California, Fresno, as an American for many years before the war I accepted freedom as a natural part of my heritage as an American. It was not until I was placed behind barbed-wire fences in World War II that I realized what freedom really meant in terms of democracy.

I think that the people of Hawaii really know what they want and what statehood means to human beings in terms of dignity.

I think many of us here on the mainland who have never been denied these rights can never really appreciate the fullness of their desire for this status.

I do not know whether I expressed myself very well, Mr. Congressman.

Mr. WITHROW. I think you have.

Mr. MASAOKA. I think, without any question, the overwhelming majority of the people of Hawaii of all nationalities, all of whom are Americans, want statehood.

I might say, it is not the slant of a man's eyes that determines the slant of his heart, because in a way, as everywhere else in the Federal

Union, people who know and understand America love America and want to be a part of it.

Mr. O'BRIEN. Will the gentleman yield?

Mr. WITHROW. Yes.

Mr. O'BRIEN. I think the gentleman has raised a good question, because from his experience he knows that is one of the questions that must be answered on the floor.

Mr. WITHROW. Yes.

Mr. O'BRIEN. I know that a year ago when we had the Alaska bill here we had the same problem in the committee and on the floor as to whether the people of Alaska really wanted it, and we had some rather sharp exchanges and some polls taken as a result, and so forth.

When the chips were down and they voted in Alaska it was 5 to 1, as the gentlemen will recall.

May I say it is my considered opinion—we went to Alaska in 1955 and that was one of the questions we were concerned about. We went to Hawaii in 1958, and I am convinced beyond any doubt that the people of Hawaii favor statehood by a greater percentage than did the people of Alaska, and they were 5 to 1 for it.

Another significant thing: We had heard rumors—and I think they were a little more than rumors—for some years here that certain people in Hawaii were giving only lip service to their support for statehood, that actually they did not want it, that it was the popular thing to do and they were going along.

We have learned—and there will be statements later in the record—that some of the people who were supposed to be in that category now support it 100 percent. I have in mind, for example, the sugar planters. There was some talk that the sugar planters were not quite solid on that. They are now. And the same with the pineapple growers.

I think, if you had a vote on a bill whether or not Hawaii would accept statehood, if it were offered to them as it was to Alaska, I would be convinced it would be at least 8 to 1 and maybe 10 to 1.

That is from personal observation and talking to people in every section of the country I could find to talk to.

I thought the gentlemen might be interested in that.

Mr. WITHROW. Yes.

I would like to say this for the record in case I might be misunderstood: I voted against statehood for Alaska because I felt very keenly that these 48 States were sacred property and we should not go out and take in that which was not contiguous to us. Of course we have established the precedent now, and I, in all probability, will go along with statehood for Hawaii, providing I can be assured in my own mind and my own conscience that these people want statehood.

Mr. BURNS. Will the gentleman yield?

Mr. WITHROW. I yield.

Mr. BURNS. I would like to point out to the gentleman, just for information, that in the last general election in Hawaii some 155,000 voters cast their ballots. The Commonwealth Party had a candidate for Delegate, and there was a Republican and a Democratic candidate. The candidate for Delegate on the Commonwealth ticket was a very estimable gentleman, a fine gentleman of good standing and out-

standing integrity. He got less than 2,000 votes out of the 155,000 cast.

I think that well indicates the choice of the people of Hawaii, because they had a chance to express themselves for a man who was of good character and integrity.

Mr. MASAOKA. I think we ought also to add for the record, however, that the Delegate from Hawaii on his own right attracted a lot of votes, and the record of the gentleman from Hawaii is so outstanding in favor of statehood that every vote for him could be counted as a strong endorsement for statehood.

Mr. BURNS. I thank the gentleman.

Mr. WITHROW. That is all.

Mr. O'BRIEN. Mr. Powell?

Mr. POWELL. I would like to also congratulate Mr. Masaoka for his very fine statement. I think what he said is very important. While not a primary reason for granting statehood, it will be of inestimable value in the relations of the United States with southeast Asia to know that people of descent from that area are now citizens of our country—their country. And if there is any communism of any importance in Hawaii, granting of statehood to Hawaii will sort of pull the rug from underneath their own propaganda and will help our propaganda in southeast Asia against communism.

Mr. MASAOKA. Thank you.

Mr. O'BRIEN. Mr. Cunningham?

Mr. CUNNINGHAM. No questions.

Mr. O'BRIEN. Mr. Sisk?

Mr. SISK. Mr. Chairman, I simply would like to add a little further to my introductory comments of a while ago. Of course, we, in my district, are very proud of this gentleman, Mike Masaoka, not only for the very outstanding war record he has compiled but his record of citizenship in the defense of the American way of life not only in this country but throughout southeastern Asia, and the great work he had contributed to selling the American way of life. I am deeply impressed by his statement this morning and am very happy to have him with us.

Mr. MASAOKA. Thank you.

Mr. O'BRIEN. Mr. Ullman?

Mr. ULLMAN. First, I want to congratulate Mr. Masaoka for a most outstanding statement. A few moments ago, however, when you referred, Mr. Masaoka, to the Japanese-American citizens in various States, I think you made a very important omission when you failed to mention the State of Oregon.

In my district in Malheur and Hood River Counties, we have a very large community of Japanese-Americans, and I want to confirm what has been said here—there are no finer citizens than the Japanese-Americans.

Today the Japanese-American citizens are welcomed on an equal basis, and looked up to by every segment of the community. They own some of the finest farms anywhere in the world.

They have assumed a position of leadership in the community, and I consider them among the most outstanding citizens in my district. I am certainly proud to welcome you here before this committee.

Mr. MASAOKA. Thank you, Mr. Congressman.

I might add this: That what Japanese-Americans have been able to achieve here in the United States under statehood is simply an indication that, as great as the contributions of Japanese-Americans to Hawaii have been under Territorial status, the greater it will be when statehood is granted to them.

Mr. O'BRIEN. I wonder if the committee would bear with me at this point. We have some matters which should go in the record. Then we will proceed.

We stated yesterday that the report had not yet been received from the Department of State. We have the report from the Department of State, and it is favorable.

Without objection, that will be made a part of the record at the place the other departmental reports were put in.

We also have a number of statements that people wish to present.

I might explain to the committee that we do have a number of people from Hawaii who are more than willing to testify, but all of them, virtually all of them, were people who testified only a few months ago. And in the interest of expediting the bill itself, they have expressed a desire to submit only statements and not take a great deal of the time of the committee, which I think is very considerate and very wise on their part.

I believe the Delegate from Hawaii has a number of statements which he would like to offer for inclusion in the record following the completion of the questioning of the witness now testifying.

Mr. Burns?

Mr. BURNS. Mr. Chairman, I do have. I have a statement from the Governor. As you indicated, the thought of the people in Hawaii was it would be better to submit the statements for the information of the committee rather than in person and take the time of the committee.

I have the statement from the Governor of Hawaii, which is an overall statement, and I have copies which I will give to every member present.

I have a statement of the board of health submitting the latest statistics on the population figures of Hawaii.

I have a statement from the president of the Honolulu Chamber of Commerce; a statement from the president of the Hawaiian Electric Co.; a statement from the president of the Hawaiian Telephone Co.; a statement from the Hawaiian Sugar Planters' Association, which is the association of all of the sugar planters of Hawaii for the record, and a statement from the Pineapple Growers Association of Hawaii.

Mr. O'BRIEN. Without objection, the several statements mentioned by the Delegate from Hawaii will be included in the record at the point specified.

Mr. BURNS. One other, Mr. Chairman, if I may. I have a statement from the department of public instruction.

Mr. O'BRIEN. Without objection, that too will be included. Does that complete it?

Mr. BURNS. I think it does.

Mr. O'BRIEN. Doctor Taylor?

Mr. TAYLOR. In addition to the ones Delegate Burns just mentioned, we have one from Mr. William H. Heen, vice chairman of the Hawaii Statehood Commission. We have one from Mr. William S. Richard-

son, chairman of the Democratic Party of Hawaii. They are both sympathetic to the legislation and urge prompt enactment of it.

We have one from the U.S. Flag Committee in opposition to the granting of statehood for Hawaii and one from James M. Thomson, Gaylord, Clark County, Va., also in opposition. I would like to make them available to the chairman if he wishes to peruse them.

MR. O'BRIEN. The U.S. flag committee, as I understand it, is located on Long Island, N.Y.?

MR. TAYLOR. That is right, sir.

MR. O'BRIEN. If any other persons from Hawaii or elsewhere have statements that they wish to include in the record, they will be accepted, of course.

I want to emphasize again that we are not suggesting to anyone that he or she not testify. We are following this procedure for the reasons I explained and at the request of some of the people who have travelled quite a considerable distance to help their cause along.

Judge SAUND?

MR. SAUND. Thank you, Mr. Chairman. I wish to congratulate Mr. Masaoka for the very fine and eloquent statement he has made. Last summer I had the honor to be a guest speaker at the biennial convention of the Japanese-American Citizens League, and I had the opportunity there to meet the representatives of the Japanese-American citizens from all over the United States. What I saw and what I got from the convention will always remain a bright spot in my memory.

I have never seen a better organization or a group of more enthusiastic or more loyal American citizens.

The respect in which that organization is held in the United States was attested to by the fact that the two United States Senators from Utah were speakers on the same platform with me.

I can say this: Mr. Masaoka truly represents the people of his ancestry in the United States, because I found out there in what esteem and affection he is personally held by his fellow men. If there is any similarity between the Japanese-ancestry citizens in Hawaii and the people who live in Imperial County, among whom I have lived for the last 30 years, I can say, Mr. Chairman, that those people will contribute in a big way to make a better Republic than we have today.

MR. MASAOKA. Thank you, Mr. Saund.

MR. O'BRIEN. Mr. McGinley?

MR. MCGINLEY. Mr. Masaoka, I do not wish to classify our different races of Americans by cold statistics, but I think it is a legitimate question. I do not find the statistics here before me. I would be interested to know about how many people we are talking about of the different races represented there, including your own people of Japanese ancestry. If you know in round figures, how many are there within the total population of 635,000, or any other figures concerning a breakdown in racial ancestry?

MR. MASAOKA. I wonder if Delegate Burns would have more accurate information on that.

MR. O'BRIEN. Will the gentleman yield?

MR. MCGINLEY. Yes.

MR. O'BRIEN. I believe yesterday at the hearing there was a table inserted in the record, on the motion of the gentleman from Florida, showing those figures. They were accepted with the understanding that we also put in the record that they were all American citizens.

Mr. MCGINLEY. Yes.

Mr. O'BRIEN. I think I understand what the gentleman has in mind. There is no use fooling ourselves. We know that a great deal of the opposition to statehood, even though it may be covered by something else, talk about communism and so forth, will be the so-called mixed races. I think this committee, when it goes to the floor and we have this bill up for discussion, has to be prepared to meet that discussion.

I think it is unfortunate we have to do it, because when we discussed the Alaska bill we of course did have in the record the number of Eskimos and Indians in Alaska. That was a different problem. We did not at any place in our record have the number of people of German, Irish, English, or other ethnic background.

Nevertheless, I think the gentleman is being very practical in suggesting what he has suggested because we know that is one of the things we have to fight.

Mr. MCGINLEY. Mr. Chairman, I am willing to go to the record for these statistics, but I think I represent some of the new members who have not been tuned in on this before. I merely bring up some of these things that probably are well known to the senior members as an indication we want to be as well informed as anyone else when this does come to the final stage.

Mr. MASAOKA. If I may add this, unfortunately the Congressman from Texas is not here, but members of the 442d Regimental Combat Team were all made honorary Texans by the great State of Texas. This was when Texas was the largest State in the Union.

It all developed out of one of the better-known skirmishes of World War II. In the early part of October 1944 the 1st Battalion of the 36th Infantry Division from Texas was isolated by the German enemy, completely cut off. About seven other regimental combat teams were ordered to the rescue without success. The Japanese-American combat team was pulled out of another sector and ordered to try to effect the rescue of what had been known as the Lost Battalion of World War II.

I recall when we went into the line our companies averaged something like 206 men per company. When we effected the rescue after 9 days we averaged less than 50 men per company. Three of our companies had less than six men each. And I was among those that lost a brother in that particular action.

We had casualties of over 2,000 in rescuing what was left of a Texas battalion of about 300 men.

For this action the men of the 36th Texas Division gave us a memorial plaque, which is unprecedented, I think, in the history of American warfare. And the people of Texas, in spite of the fact that we are Americans of Japanese ancestry, conferred upon us what I think they considered to be their greatest honor—citizenship in the State of Texas.

I simply point that out to indicate that when the facts are known and when one fights it is not so much the color of the hair or the slant of the eye that counts as the color of the blood. And when the supreme test was made the color of the blood of the Americans of Japanese ancestry, who constitute one of the larger groups in Hawaii, was just as red as that of any American from Texas, from Brooklyn, California, or anywhere else.

Mr. O'BRIEN. Mr. Morris?

Mr. MORRIS. No questions.

Mr. O'BRIEN. Mr. Rivers.

Mr. RIVERS. Mr. Chairman, I would like to make a comment, as an American who has lived in Alaska during most of his life and who has not yet had a chance to vote for a President, I think I especially assimilate the witness' eloquent remarks, and I think that I have a special insight into the feeling of how good it is to be a full-fledged American. Mr. Masaoka, I commend you upon your very eloquent presentation.

Mr. O'BRIEN. Mr. Burdick?

Mr. BURDICK. No questions.

Mr. O'BRIEN. Mr. Burns.

Mr. BURNS. I would like to join in the compliments. I know particularly, Mike, Mr. Masaoka, your affinity with the people of Hawaii, and I appreciated your very stirring report upon their contribution to the United States of America.

Mr. O'BRIEN. Thank you very much indeed.

Mr. MASAOKA. Thank you, sir.

(The statements referred to previously follow:)

STATEMENT OF GOV. WILLIAM F. QUINN OF THE TERRITORY OF HAWAII TO THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS OF THE HOUSE OF REPRESENTATIVES, 86TH CONGRESS, IN SUPPORT OF PENDING BILLS PROVIDING FOR THE ADMISSION OF HAWAII AS THE 50TH STATE

Mr. Chairman, members of this honorable committee, my name is William F. Quinn, Governor of Hawaii since September 1957 and resident of the Territory for the past 12 years. I am grateful for this chance to make a statement in support of Hawaiian statehood. Our people are grateful for the action of this committee in giving early consideration to our cause. Enthusiasm and anticipation are mounting and intensifying as we sense that this year may be the year of the Island State. A great majority of Hawaii's people join in my prayer that statehood be granted in this session of Congress.

Past records of this committee abound with testimony on the moral, political and economic fitness of Hawaii to be a State. Statements supplementing earlier testimony of our desire for statehood, and bringing descriptions of various facets of our society up to date will be filed with this committee.

In this statement, I shall give you a broad picture of the economic conditions of Hawaii and some of the fiscal and economic projections which our legislature will consider in adopting a budget for the next biennium. They portray a mature, expanding and healthy economy. Our becoming a State will accelerate the expansion.

ECONOMIC ACTIVITY

1957 and 1958 were years of high economic activity in the Territory despite the mainland business recession in the latter part of 1957 and the first half of 1958 and the prolonged sugar strike in the spring of 1958.

In 1958 unemployment both in absolute terms and in percent of civilian labor force was less than it has been any year in the previous decade. Personal income increased at a slightly lower rate in 1958 than in 1957 because of the sugar strike and the decrease in some areas of Federal activity in the Territory. The volume of construction in 1958 was almost 25 percent above that in 1957, which was itself over 20 percent above that in 1956.

For the next biennium it is expected that economic activity will continue at high levels. In calendar year 1959 the Territory should enjoy a very high level of prosperity with the revival of prosperity on the mainland, the continued high level of construction activity and the expansion of the tourist trade. It is estimated that total personal income in Hawaii in 1959 will be in the neighborhood of \$1,121,000,000. For the entire 1959-61 biennium it is estimated that personal income will be increasing at the rate of 5 percent per year. Various tables of pertinent data about our economic activity are attached to this statement as appendix I.

The role of the Territorial government in broadening Hawaii's economic base is already plotted and underway. We are:

1. Developing a pattern of land-use planning that will provide sites for tourist development and industrial development with adequate transportation and water facilities.

2. Engaging in research and development on mineral and other natural resources of Hawaii—bauxite mining, timber research and development, inshore and offshore fishing, diversified agriculture.

3. Expanding tourist promotion activities and increasing recreational facilities.

4. Insuring a growing and stable supply of goods, services and agricultural products for civilian and military consumers.

5. Promoting economic growth in all areas through governmental credit agencies and coordination of private development activities with major governmental capital construction programs particularly in water development and road construction.

In capsule summary, Hawaii is a solvent enterprise with an expanding future.

POPULATION

The Territorial board of health estimates our total population as of July 1, 1958, to be 626,000 (of which the civilian population is 576,000), an increase of 4.4 percent over the population on July 1, 1957.

For the next biennium it is assumed that net migration in either direction will be small. The conditions which would lead to large-scale outmigration do not appear to be present. Although the mainland economy is in a period of recovery, it is still substantially below full employment levels and may not reach full employment levels for at least a year. This should discourage any large-scale outmigration from Hawaii so long as the Territory's economy remains at the current high levels. On the other hand, we do not expect large-scale immigration because the number of military dependents will not increase as much as it has in the current biennium. However, should we become a State at the beginning of the next biennium we would anticipate an increase in the numbers moving from the mainland because they want to live in Hawaii.

LABOR FORCE AND EMPLOYMENT

Between 1954 and 1957 average monthly employment increased by 14,000 according to the Bureau of Employment Security while unemployment fell by 4,000. For the next 3 years, employment increase is projected to be 5,000 and unemployment is expected to remain constant. Most of the increase in employment is expected to occur on Oahu.

PRICES

During the first 6 months of the current biennium the Honolulu consumer's price index rose at the rate of 11 percent a year following the imposition of higher tax rates and higher minimum wage rates. Since then prices have risen more slowly; the September 1958 price index was only 1.7 percent above the December 1957 price index. Over the period 1950-57 prices have moved upward at the rate of 1.5 percent per year and the budget projections assume that for the next biennium prices generally will be 3 percent above the June 1958 price levels. In many areas, however, the Honolulu consumer price index is inappropriate, and in these areas special consideration was given.

FINANCIAL ASPECTS—GOVERNMENT OPERATION

Revenue estimates for the current and succeeding biennial indicate substantial surpluses over expenditures. Heavy emphasis has been placed on budgeting capital and operating funds in 1959-61 for education and economic development. The capital program includes roads to open new areas; water for new developments; creation of parks, beaches, small boat harbors, and the restoration of historic sites. Both our territorywide public school system and the University of Hawaii will be substantially expanded and enriched.

I shall be quick and eager to provide additional information that you might require about our qualifications or aspirations for statehood.

Thank you very much.

WILLIAM F. QUINN, *Governor of Hawaii.*

JANUARY 23, 1959.

	1955-57	1957-59	1959-61
Receipts:			
General fund.....	\$129,980,746	\$176,173,184	\$191,530,090
Special and other funds.....	73,106,210	84,118,251	87,769,696
Bond fund.....	53,500,000	55,000,000	49,000,000
Total.....	256,586,956	315,291,435	328,299,786
Payments:			
General fund.....	125,871,184	160,660,682	191,521,003
Special and other funds.....	73,854,943	86,450,223	87,769,696
Bond funds.....	44,088,354	48,000,000	81,424,968
Total.....	243,814,481	295,110,905	360,715,667

NOTE.—Excludes funds not covered into Treasury.

APPENDIX I

Personal income in Hawaii

[Millions of dollars]

Calendar year	Total income	Government wage and salary disbursements		Private wage and salary disbursements				Other income
		Civilian	Military	Total	Sugar and pineapple	Diversified manufacturing	Other	
1950.....	689	133	71	307	87	19	202	179
1951.....	796	159	99	340	94	23	224	197
1952.....	864	170	125	360	96	25	239	209
1953.....	889	177	129	371	97	25	248	212
1954.....	893	169	129	373	95	29	249	222
1955.....	952	177	145	392	94	29	269	238
1956.....	1,024	187	165	415	93	30	292	257
1957.....	1,098	200	173	453	91	37	325	272
1958 preliminary.....	1,150	210	170	480	-----	-----	-----	290
1959 projected.....	1,210	-----	-----	-----	-----	-----	-----	-----
1960 projected.....	1,270	-----	-----	-----	-----	-----	-----	-----

Per capita personal income

	Total personal income (millions of dollars)	Per capita personal income (dollars)	Population, July 1	
			Total (thousands)	Civilian (thousands)
1950.....	689	1,403	491	471
1951.....	796	1,586	502	473
1952.....	864	1,721	502	465
1953.....	889	1,740	511	473
1954.....	893	1,717	520	481
1955.....	952	1,731	550	501
1956.....	1,024	1,787	573	523
1957.....	1,098	1,821	603	552
1958 preliminary.....	1,150	1,840	625	576
1959 projected.....	1,210	1,890	640	590
1960 projected.....	1,270	1,940	655	605

Civilian labor force employment and unemployment

Monthly average	Labor force	Employment		Unemployed as percent of labor force
		Total	Total covered	
1951.....	191,698	183,400	96,022	4.3
1952.....	194,066	185,644	98,477	4.3
1953.....	196,141	186,599	100,996	4.9
1954.....	197,375	185,616	99,186	6.0
1955.....	199,276	189,352	125,379	5.0
1956.....	204,075	195,085	132,360	4.4
1957.....	207,563	199,831	143,739	3.7
1958 preliminary.....	210,000	198,000	149,000	3.6

Business activity—Volume of retail sales; volume of construction

[Millions of dollars]

Annual totals	Retail sales	Construction
1950.....	467.8	64.7
1951.....	555.8	89.2
1952.....	548.7	91.4
1953.....	574.5	89.9
1954.....	572.8	88.2
1955.....	625.0	89.3
1956.....	663.0	105.5
1957.....	712.8	129.3
1958 preliminary.....	723.0	160.0

Volume of loans of commercial banks and trust companies

[Millions of dollars]

Loans outstanding—	All loans and discounts	Mortgage loans	Personal consumption loans	Other loans
Dec. 31, 1950.....	167.1	77.4	11.1	56.5
Dec. 31, 1951.....	192.1	105.9	14.4	71.8
Dec. 31, 1952.....	187.8	107.2	15.3	65.3
Dec. 31, 1953.....	190.9	106.6	19.3	65.0
Dec. 31, 1954.....	197.6	109.0	22.8	65.9
Dec. 31, 1955.....	206.6	114.1	21.3	71.2
Dec. 31, 1956.....	218.4	117.1	24.8	76.6
Dec. 31, 1957.....	249.7	127.2	34.8	87.7
June 30, 1958.....	271.3	136.6	37.1	97.6

Territorial government receipts 1950 to 1958; 1959–61 projected

[Millions]

Fiscal year	Total receipts				General fund receipts	
	Total	Tax	Borrowing	Other receipts	Tax	Nontax
1950.....	87	44	13	30	37	10
1951.....	99	49	18	32	41	9
1952.....	90	53	11	26	44	7
1953.....	87	53	2	32	44	10
1954.....	98	53	6	39	45	9
1955.....	93	54	6	30	46	9
1956.....	111	58	15	38	49	13
1957.....	145	64	38	43	53	14
1958.....	150	80	28	42	69	7
1959 preliminary.....	160	90	19	61	78	9
1960 projected.....	183	93	35	55	80	17
1961 projected.....	165	95	15	55	82	17

EXPLANATORY NOTES

Personal income.—Data through 1957 are estimates of the Office of Business Economics, USDC; 1958 preliminary estimates were made by the Territorial bureau of the budget based on civilian wage base reported to Tax Office, and military payroll figures reported to Bureau of the Budget; 1959 and 1960 projections were made by Budget Bureau.

Population.—Total population data including resident military population through 1957 are estimates of the Office of Business Economics; 1958 estimates, 1959 and 1960 projections are by the Budget Bureau. Civilian population data through 1958 are estimates of Territorial bureau of health statistics; 1959 and 1960 projections are by Budget Bureau.

Civilian labor force, employment and unemployment.—Data through 1957 are estimates of the Territorial bureau of employment security. Covered workers include all workers eligible for unemployment compensation, both workers covered by the Territorial unemployment security law and Federal employees covered by the Federal law; 25,000 Federal civilian employees have been covered since January 1955; approximately 14,000 agricultural workers have been covered since July 1, 1957.

Business activity.—Data through 1957 are from Hawaii Employers Council Research Report No. 714; 1958 was estimated on basis of 10 months' data available. These figures represent the current tax base of the general excise tax plus the reported sales to the Federal Government which are exempt from the general excise tax. Data are lagged 1 month to represent the month during which the transactions occurred.

Volume of loans of commercial banks and trust companies.—Data are reported by the Office of Bank Examiner.

Territorial government receipts.—Data from 1950 to 1957 are compiled from annual statements of the comptroller of Hawaii. Total receipts include general fund, bond fund, and special funds receipts. Projections for 1959-61 are Budget Bureau estimates of tax and nontax receipts based on current tax laws.

TERRITORY OF HAWAII, BOARD OF HEALTH,
Honolulu, January 23, 1959.

Hon. LEO O'BRIEN,
Chairman, House Territories Subcommittee, House of Representatives,
Washington, D.C.

(Through Hon. John A. Burns, Delegate from Hawaii.)

DEAR SIR: At the request of Hon. John A. Burns, Delegate to Congress from Hawaii, I am submitting the population statistics of the Territory of Hawaii for the period July 1, 1950, through July 1, 1958.

Our estimates of the civilian population data for the Territory were prepared using the migration-natural increase method. Data on civilian migration to and from the Territory were provided by each carrier. Military population figures are not included in these estimates but civilian dependents are, July 1:

1950-----	471, 447	1953-----	473, 214	1956-----	523, 359
1951-----	472, 602	1954-----	481, 386	1957-----	551, 537
1952-----	465, 325	1955-----	500, 976	1958-----	575, 771

Very truly yours,

RICHARD K. C. LEE, M.D.,
President, Board of Health.

CHAMBER OF COMMERCE OF HONOLULU,
Honolulu, Hawaii, January 22, 1959.

Hon. LEO W. O'BRIEN,
House Interior and Insular Affairs Committee,
Washington, D.C.

DEAR CONGRESSMAN O'BRIEN: The Chamber of Commerce of Honolulu is one of the first organizations in Hawaii to have taken a firm stand in support of statehood for Hawaii, and, as you bring this legislation before the 86th Congress, I want you to know of the chamber's continuing enthusiasm for statehood.

Our officers and board of directors want you to know of their desire to be of

any assistance required in getting prompt action by the Congress to make Hawaii the 50th State.

Through a number of methods over the years, and particularly since the war, the chamber has received from its 3,000 members numerous indications of their desire for State government. As long ago as January 1946, the entire membership was polled and the response was overwhelmingly in favor of statehood for the islands.

For several years it has included in its annual program the objective to stimulate the passage of the statehood bill by Congress.

At its first meeting in 1959, the board of directors approved the naming of a special committee on statehood and directed it to send its members to Washington to call on Members of Congress. The objective is for our top business leaders to relay in person to as many Congressmen as possible, while this legislation is being considered this year, the absolute necessity for the growth and development of Hawaii to bring Hawaii into the Union as the 50th State.

Your committee's interest in this is much appreciated, as is your own personal leadership in this most important national and international legislation.

The business community of Hawaii thanks you for your continuing efforts in its behalf.

Sincerely yours,

J. DICKSON PRATT, *President.*

STATEMENT OF MR. L. A. HICKS, PRESIDENT, HAWAIIAN ELECTRIC CO.

The Hawaiian Electric Co., which supplies electrical energy to over 100,000 customers on the island of Oahu, anticipates a capital expenditure program for the years 1959-63 of approximately \$57 million.

It will be necessary for the company to raise approximately \$37 million through the sale of bonds, preferred stock and common stock. In the 5 years just past, 1954-58, Hawaiian Electric spent \$38.4 million for capital expenditures and raised a total of \$26.6 million through the sale of securities.

Early in 1957 a group of security analysts visited Hawaii to look at the properties of Hawaiian Electric. At that time, we were told that statistically the bonds of our company were comparable to that of an AA rated security but because of our location in a Territory they were rated as A.

During the course of our financing, we have consistently found that the company was paying a premium for its money over and above even an A-rated security. This has resulted in the payment of an additional premium for funds secured. The price we have paid for our bonds has been more comparable to a BAA security than an AA security. We feel that statehood for Hawaii will go a long way to remove this present inequity.

Previous to 1940, Hawaiian Electric was able to obtain its financing in the Territory of Hawaii. As the capital expenditures necessary to meet plant expansion increased, first bonds and later preferred stock financing were carried out with the assistance of New York and San Francisco financial houses. We believe the time will soon come when the company will have to seek a wider distribution for its common stock in the mainland markets.

Presently, in excess of 90 percent of the \$35 million of bonds the company has outstanding are held by mainland investors, mainly insurance and trust companies. In excess of 50 percent of the preferred stock of the company is now held outside the Territory of Hawaii. Already in excess of 10 percent of the common stock of the company is held outside of the Territory.

It is our feeling when Hawaii achieves statehood the prices that we have to pay, not only the face rate of our securities, but the price we pay in underwriting fees should also be more comparable to those paid by similar mainland utilities.

For example, on the 3d of October 1958 we had occasion to sell \$3.5 million preferred stock on the New York market. We were required to put a face rate on this stock of 5.75 percent. This was 0.95 basis points above a company with AA rating issued 2 weeks earlier and 0.65 points above another similarly rated utility issued 3 weeks later. The underwriting commission we paid amounted to 3.25 percent of the issue whereas the underwriting commissions for the other companies were 0.70 percent and 1.73 percent, respectively.

It is felt that as soon as Hawaii becomes a State we would experience a decrease in the cost we have to pay for our outside funds and also a reduction in the cost of the underwriting commissions we pay.

The Hawaiian Electric Co. showed an increase in kilowatt-hour sales of 8.7 percent in 1958. This is approximately double the percentage increase for the whole of the United States. It is anticipated that our sales will increase an additional 10. percent this year. This attests to the strength of the economy of our service area and accentuates the need for our capital expenditure program, as previously outlined.

It is our hope that we will be able to do the necessary financing for this expansion as a utility operating in a State rather than a Territory.

HAWAIIAN TELEPHONE CO.,
Honolulu, T.H., January 22, 1959.

HON. LEO W. O'BRIEN,
House Interior and Insular Affairs Committee, Washington, D.C.

DEAR MR. O'BRIEN: The management and directors of Hawaiian Telephone Co. unanimously believe that Hawaii should be granted statehood at the earliest possible date in this session of Congress.

Although it hardly needs repetition, our feeling comes partly from our firm belief that the citizens of Hawaii are entitled to all the privileges and benefits of American citizenship just as we have shown our ability and willingness to carry out the full responsibilities of this citizenship.

Hawaiian Telephone Co. was organized in 1883 under the laws of the Kingdom of Hawaii, and our corporate existence has continued for nearly 76 years up to the present. We are a fully independent telephone company—not part of the Bell System nor any other corporation. Over 80 percent of the common stock of this company is held by residents of Hawaii.

We now provide telephone service on the six principal islands of the Hawaiian group, as well as interisland telephone and telegraph services. Our facilities are connected with the Bell System and other independent telephone companies on the mainland by means of both radiotelephone facilities and a submarine telephone cable owned jointly by the American Telephone & Telegraph Co. and Hawaiian Telephone Co. By way of interest, the telephones in the city of Honolulu were converted to automatic dial operation in 1910, some 49 years ago. By mid-1957, all telephones on all islands we serve were provided with automatic dial service. We have continued to keep abreast of the latest developments of the telephone industry and have provided all modern communication facilities to the people of Hawaii.

Our belief that Hawaii is fully prepared for statehood is further strengthened by the fact that the overall economy of the islands and the conduct of business here fully meets the highest American standards. With specific reference to Hawaiian Telephone Co., the following facts relative to our postwar growth indicate the measure in which this company has served and is continuing to serve the community needs of Hawaii.

Telephones in service Jan. 1, 1946_____	54, 734
Telephones in service Jan. 1, 1959_____	176, 750
Total plant in service Jan. 1, 1946_____	\$12, 885, 669
Total plant in service Jan. 1, 1959_____	\$68, 797, 000
New capital raised, both debt and equity, during the period Jan. 1, 1946, to Dec. 31, 1958 amounts to approximately_____	\$43, 000, 000
Transpacific calls during 1946_____	89, 454
Transpacific calls during 1958 (estimated)_____	329, 000
Interisland calls during 1946_____	153, 766
Interisland calls during 1958_____	380, 432
Number of employees Jan. 1, 1946_____	977
Number of employees Jan. 1, 1959_____	1, 735

The directors of Hawaiian Telephone Co. have already approved capital expenditures for growth and improvement of our system amounting to approximately \$10 million for the current year 1959, and it is expected that approximately an equal amount will be spent for expansion and improvements in each of the years 1960 and 1961.

We believe that Hawaiian Telephone Co. has served Hawaii well during the 76 years of its operation. In particular, it has also served the Nation in times

of peace as well as in times of war. At the end of 1942, after the first year of World War II, Col. C. A. Powell, signal officer of the Signal Corps in Hawaii, wrote to Mr. Alvah A. Scott, then president of our company, a letter in which he expressed "for all the Signal Corps personnel of the Hawaiian department sincerest appreciation for the splendid cooperation and valuable services rendered by your organization during the past year." Mr. William C. Avery, who became president of this company in 1944, served as a committee member of the board of war communications in 1946 and he received a letter from Charles R. Denny, chairman of said board, extending to him "sincere gratitude and commendation for your service as one of the committees whose assistance made the work of the board possible." Also, in May 1946, Mr. Avery received a certificate from the War Department expressing its appreciation for service in a position of trust and responsibility and "for furnishing communications facilities within the strategic islands of Hawaii during the period of national emergency which contributed to the establishment of the world's greatest communication system."

For these, as well as many other reasons, our company fully endorses statehood for Hawaii and urges the Members of Congress to act favorably on the statehood measure now before Congress.

Sincerely yours,

J. B. ATHERTON, *President.*

HAWAIIAN SUGAR PLANTERS' ASSOCIATION,
Honolulu, T.H., U.S.A., January 23, 1959.

Relative statehood for Hawaii.

HON. LEO O'BRIEN,
Chairman, House Territories Committee:

Hawaii's sugar industry is in favor of immediate statehood for Hawaii.

The industry is composed of 27 plantation companies which produce a total of over 1 million tons of raw sugar annually. These companies provide year-around employment for about 17,000 men and women with a total payroll of about \$56 million. The companies are owned by 14,000 individual stockholders, some 70 percent of whom live in Hawaii. Invested capital in the industry is estimated at about \$200 million.

The foregoing statistics are cited to show that underlying the sugar industry's endorsement of statehood is a record of solid accomplishment and long identification with Hawaii's economic, social, and political development.

It is felt that under statehood opportunities for continued progress in this as well as other industries would be strengthened. We are also confident that the general economy of the islands is sound and fully capable of supporting whatever enlarged governmental responsibilities statehood would impose.

While the sugar industry is interested in economic implications, its support of statehood is influenced more profoundly by complete acceptance of the following principles:

1. By every reasonable test of good citizenship and Americanism the people of Hawaii have demonstrated their competence, maturity, and their capacity to exercise enlarged political responsibilities, not only in the best interests of Hawaii but in the best interests of the Nation as a whole.

2. Having faithfully fulfilled their obligations as taxpaying Americans for more than 50 years and having impressively demonstrated their patriotism by unequalled valor and sacrifice in World War II and the Korean war, the people of Hawaii have proved their loyalty beyond question.

3. Hawaii's record of political and legislative accomplishment at the municipal and Territorial level is evidence that as voters of a new State the citizens of Hawaii would send to the Congress Senators and Representatives who would competently fulfill their responsibilities to the State and to the Nation.

4. Admission of Hawaii as a State would strengthen American relations with anti-Communist peoples of the Pacific, and would encourage eventual growth of trade and commerce with friendly nations in that area.

For the foregoing reasons Hawaii's sugar industry is firmly in favor of statehood now.

A. G. BUDGE,
President, Hawaiian Sugar Planters' Association.

PINEAPPLE GROWERS ASSOCIATION OF HAWAII,
Honolulu, Hawaii, January 22, 1959.

HON. LEO O'BRIEN,
Chairman of the House Territories Committee,
Washington, D.C.

DEAR SIR: The Pineapple Growers Association is the trade association for the pineapple companies in Hawaii. All of the pineapple grown and processed in Hawaii is produced by companies who are members of this association, as follows:

Baldwin Packers, Ltd.
California Packing Corp.
Grove Farm Co., Ltd.
Hawaiian Canneries Co., Ltd.
Hawaiian Fruit Packers, Ltd.
Hawaiian Pineapple Co., Ltd.
Kauai Pineapple Co., Ltd.
Libby, McNeill & Libby
Maui Pineapple Co., Ltd.

Pineapple is an important part of the economy in the Hawaiian Islands. The companies listed above have 8,200 year-round employees and during the peak summer season of harvesting and processing employ 15,400 additional workers. The Hawaiian pineapple industry has 75,000 acres under cultivation, producing annually some 30 million cases of fruit and juice. Practically all of the fruit is processed since it is impossible to market more than a small part of the crop as fresh fruit in Hawaii or on the U.S. mainland. Eighty-five percent of the U.S. mainland's canned pineapple and juice comes from Hawaii and the sale of this pineapple brings some \$115 million annually to the Territory.

The pineapple industry has supported statehood for Hawaii consistently. A resolution to this effect was passed unanimously by the board of directors of this association on January 7, 1946. Again on January 7, 1948, prior to the visit of Senator Guy Cordon, who came to study the statehood question, the board of directors of the association passed unanimously a resolution in favor of statehood, a copy of which is attached hereto.

The industry's position is the same today, and we present this letter and the attached resolution as evidence that the companies who make up the pineapple industry in Hawaii are in favor of statehood and earnestly desire the early passage of legislation which would grant this Territory the full rights and duties of a State.

Sincerely yours,

R. L. CUSHING,
Executive Vice President.

Whereas the House of Representatives of the 80th Congress of the United States on June 20, 1947, passed H.R. 49, a bill introduced by Hon. Joseph R. Farrington, Delegate to Congress from Hawaii, to enable the people of Hawaii to form a constitution and be admitted as a State in the American Union; and

Whereas the people of Hawaii have maintained orderly and efficient government and have demonstrated their loyalty and devotion to the United States of America and have discharged all the obligations of American citizenship; and

Whereas the people of this Territory have shown their qualification for self-government and their right to statehood in accordance with the fundamental principles upon which American Government is founded; and

Whereas the financial condition of the Territory is sound; and

Whereas the people of Hawaii have, by their vote at a plebiscite in true American democratic manner, clearly expressed themselves as being in favor of statehood; and

Whereas there is justification for the belief that the people of this Territory should be accorded the right of voting representation in the Halls of Congress, together with other inherent rights of full citizens of the United States of America: Now, therefore, be it

Resolved, That the Pineapple Growers' Association of Hawaii unanimously favors the immediate admission of Hawaii into the Union of the United States of America as a State, with all the rights, privileges, and obligations incident thereto.

TERRITORY OF HAWAII,
HAWAII STATEHOOD COMMISSION,
Honolulu, January 23, 1959.

HON. WAYNE N. ASPINALL,
*U.S. Representative from Colorado,
House Office Building, Washington, D. C.*

MY DEAR CONGRESSMAN: Although 5,000 miles from the Washington scene, the people of Hawaii feel that they are there on the sidelines watching every dramatic move that is being made in their behalf to achieve statehood for Hawaii.

We are thrilled over the play-by-play accounts which are reaching us almost daily concerning the rapid progress being made to push the Hawaii statehood bill (H.R. 50) to final passage at an early date.

No doubt the opponents of the bill will resort to every type of parliamentary maneuver to prevent its passage, but we are confident that the proponents, under the able leadership that has been displayed, will not be outmaneuvered.

Respectfully,

HAWAII STATEHOOD COMMISSION,
By WM. H. HEEN, *Vice Chairman.*

TERRITORY OF HAWAII,
HAWAII STATEHOOD COMMISSION,
Honolulu, January 23, 1959.

HON. WAYNE N. ASPINALL,
*U.S. Representative from Colorado,
House Office Building, Washington, D.C.*

MY DEAR CONGRESSMAN: The Hawaii Statehood Commission has been informed that an attempt might be made by opponents of the Hawaii statehood bill to include a provision to grant home rule to the District of Columbia, to grant statehood to Puerto Rico, or to otherwise confuse the main purpose of the bill.

This is to advise that at a meeting of the commission on January 20, 1959, it was unanimously voted to ask you to oppose any attempt that might be made to amend that bill so as to include in it matters that are not germane to the primary object of the bill—the granting of statehood to Hawaii.

Respectfully,

HAWAII STATEHOOD COMMISSION,
By WM. H. HEEN, *Vice Chairman.*

DEMOCRATIC PARTY OF HAWAII,
TERRITORIAL CENTRAL COMMITTEE,
Honolulu, T.H., January 23, 1959.

HON. WAYNE N. ASPINALL,
Chairman, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ASPINALL: The Democratic Party of Hawaii reiterates its complete endorsement of statehood for Hawaii at the earliest possible moment and respectfully requests your committee to report the bill favorably.

Yours very truly,

WILLIAM S. RICHARDSON, *Chairman.*

THE U.S. FLAG COMMITTEE,
JACKSON HEIGHTS,
Long Island, N.Y., January 23, 1959.

Re: Statehood for Hawaii.

HON. WAYNE N. ASPINALL,
Chairman, House Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR CONGRESSMAN ASPINALL: We wish to register our opposition to any bill for making Hawaii a State. There are many reasons for this, among which are the following:

It is too far from the United States.

It has been publicly rated as extremely procommunitistic.

The natives, which represent, the largest percentage of the population, have little knowledge of our constitutional form of Government and of our American habits, customs, and heritage.

Sincerely yours,

THE U.S. FLAG COMMITTEE,
_____, Secretary.

STATEMENT OF JAMES M. THOMSON, GAYLORD, CLARKE COUNTY, VA., FORMER
PUBLISHER OF THE NEW ORLEANS ITEM

Please record me as opposing Hawaii statehood.

The southern third of our Nation (South and border States) is violently upset over segregation and the race question. The Negro problem upsets Washington, D.C., where, with suffrage, our National Capital would have Negro government.

Representative Adam Clayton Powell is quoted as advocating a Negro mayor for New York City, where Negroes, Puerto Ricans, and foreign-born constitute a majority of the electorate.

Hawaii's population is about half Japanese. As an American State, Hawaii would serve to channel into the continental United States an unlimited number of Japanese. These Japanese are a very able people—very industrious, and willing to work for dimes while our people demand and get dollars. Why complicate our race problem as well as our labor problem? Why turn over the continent which our British and North European ancestors conquered, developed, and civilized along its historic lines to alien races?

We all see what trouble race mixture is already causing us. Once we let down the bars to Asia's teeming millions, our Anglo-Saxon civilization is gone.

JAMES M. THOMSON.

STATEMENT BY FORMER CONGRESSMAN BERNARD W. KEARNEY

Mr. Chairman, I believe that Hawaii is ready for and entitled to immediate statehood.

I base this assertion upon several trips to the islands, where I was impressed by the loyalty and patriotism of the people and their complete ability to handle the responsibilities of statehood.

We have given statehood to Alaska. Every test applied to that new State is more than met by Hawaii.

For many years I was a member of the House Committee on Un-American Activities. From that background, I do not hesitate to say that the people of Hawaii are capable of controlling the communism which does exist there and that they will be able to do so even more effectively if we give them the sinews of statehood.

LETTER FROM TOM B. SHUSTER, STUDENT

ALBUQUERQUE, N. MEX., *January 26, 1959.*

Subject: Hawaiian statehood.

Representative TOM MORRIS,
United States House of Representatives,
Washington, D.C.

DEAR SIR: I would like to hear your opinion about Hawaii becoming a State. How are you going to vote for Hawaii for statehood bill?

Also, I would like to express my opinion about Hawaii becoming a State. I think Hawaii should become a State because it has earned the right to vote in the elections and because they are taxpayers.

I am 10 years old and in the fifth grade.

Sincerely yours,

TOM B. SHUSTER.

STATEMENT OF THE UNITARIAN FELLOWSHIP FOR SOCIAL JUSTICE ON HAWAIIAN STATEHOOD

The Unitarian Fellowship for Social Justice wishes to register its support for H.R. 50 to admit Hawaii to statehood at this session of Congress.

The fellowship believes that the convincing arguments used so successfully to bring Alaska into the Union are equally pertinent to the admission of Hawaii.

In its position of world leadership, the United States can ill afford to withhold complete democracy to the people of Hawaii. The United States has never believed in taxation without representation. The only way to assure the Hawaiian citizens that we still believe in this concept is to pass H.R. 50.

The Unitarian Fellowship for Social Justice urges the House Interior Committee to report favorably on this bill.

J. RAY SHUTE,

President.

Mrs. A. POWELL DAVIES,

Chairman, Legislative Committee.

STATEMENT IN OPPOSITION TO HAWAIIAN ADMISSION BY WILLIS A. CARTO

Mr. Chairman, when the income tax, 16th amendment, was passed, its promoters solemnly promised that it would never take more than 2 or 3 percent of the income of any taxpayer. However, a precedent had been established with its passage. That precedent was that it became possible for Congress, by majority vote, to confiscate up to 100 percent of a man's income if it desired to do so. Forty-six years later we realize this truth. Few realized it in 1913. A prophet then would have been ridiculed.

The admission of Hawaii would establish another precedent. This precedent would be that land or islands unconnected with the American continent and inhabited by people of radically differing backgrounds from the majority of Americans are eligible to become a State.

Gentlemen, this is a road with no ending. This is the road to world government. It is the highway through the gradual watering down of the idea of American nationality and nationhood to a meaningless, characterless, cosmopolitan universality. It is a violence to American sovereignty. It is suicide.

There is a question which American statesmen must come to grips with before it is too late. After Hawaii what? Puerto Rico? Panama? Guam? the Virgin Islands? Why not, then Ghana? or San Marino? Reasons can be found for the admission of all of these. What is the point at which we stop?

Many of the people of these countries desire to become an American State.

The Governor of Puerto Rico, Luis Muñoz-Marín, does. Immediately after Congress passed Alaskan admittance, he wired to the Governor of Alaska:

"My sincerest congratulations to the Alaskan people for this victory in getting statehood through the principle of self-determination. The people of the Commonwealth of Puerto Rico, who also benefited from this principle, wish the people of Alaska lots of happiness in their new status."

Governor Muñoz-Marín apparently is not only in favor of statehood for Puerto Rico but he believes that it is a matter of right if it is desired by the people of Puerto Rico.

The admission of a new State is a serious matter. It is not properly a matter of emotion nor of wishful thinking. Nor is it a matter of "earning," for statehood is not a reward to be presented as a proud parent would give an all-day sucker to a well-behaved child.

Admission must always be a matter of principle. This principle is that the issue requires calm deliberation in the light of national interest. There can be no other approach to the matter without disaster. Statesmen must calmly decide that admission of an area is in the national interest or opposed to it, and this is the sole criterion. Only national interest is concerned. This and nothing else.

Hawaiian statehood clearly has nothing to recommend it as far as this Nation's interests are concerned and each and every argument brought forth for it is specious when viewed in the clear light of national interest.

For instance, one of the arguments is that admission is necessary for national security. This is an obvious fiction. The same was said for Alaska, but after Congress favored Alaska the Washington magazine, U.S. News & World Report, revealed that opposition from high military officials was one of the factors which had slowed down its march through Congress. Now one does not need to be a military genius to perceive that a Territory is much easier controlled in the event of national emergency than is a sovereign State.

Another argument is that the step of statehood has been promised by the officials of two political parties. But, gentlemen, only Congress can promise the will of the Nation, and Congress has made no promise. It is only in totalitarian states, like Communist Russia or Nazi Germany, where a political party can make promises in the name of the government.

In addition to the question of national interest there is a very important constitutional issue involved. Admission of Hawaii, to be legal, would clearly require an amendment to the Constitution, without which Congress would be acting devoid of constitutional power to so act, and admission would be null and void. Let me read the appropriate portion of the Constitution, the preamble:

"We the People of the United States, in Order to form a more perfect Union, establish justice, insure domestic Tranquillity, provide for the common defense, promote the General Welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

This is where we derive the name of our country, and the name is the United States of America.

The 20 volcanic islands in the North Pacific Ocean making up Hawaii are not part of the American Continent. This is a geographical fact.

To properly admit Hawaii would require a constitutional amendment changing the name of this Nation to, perhaps, the United States of America and the North Pacific Ocean, or to the United States of Anywhere. The latter would probably be preferable because we could then retain the initials U.S.A.

We are in danger of making a cataclysmic turn in American history. We are at the point where we may remain Republic with clearly defined boundaries or soon become a meaningless conglomeration, an "empire" if you like the term, with our boundaries changing with the whims of pressure groups and the cast of fortune.

I do not begrudge Hawaiians the right to petition for admission. It is their right to do so and I, as a citizen of the Nation they admire, am flattered at their high opinion of my country. But I protest at the insane hysteria which has been excited in Congress by the platoon of well-paid lobbyists who are promoting this for their own selfish ends. Is Congress really going to capitulate so easily to the wiles of the professional pressure artists? What has happened to statesmanship?

This is a question, I submit, which has not had a reasonable discussion. I do not believe that the honorable Congressmen have yet had the opportunity to understand both sides of this momentous question. I think that the hysteria over this measure which is now in existence is a totally artificial thing, uncondusive to calm discussion and inimical to the best interests of the country.

I pray that the honorable Congressmen will allow themselves to perceive the true road ahead, the one leading through the tempest of pressure and misinformation which blows so loudly around them. I address my plea to those lonely men—those statesmen who can stand against the wind when they see it blowing in a perverse direction.

I speak to those few "unpopular" men who are remembered.

AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN OF NORTH AMERICA,
Chicago, Ill., February 2, 1959.

HON. LEO W. O'BRIEN,
*Chairman, Subcommittee on Territorial and Insular Affairs,
New House Office Building, Washington, D.C.*

DEAR CONGRESSMAN O'BRIEN: We should like to inform you of the complete support of the Amalgamated Meat Cutters & Butcher Workmen of North America (AFL-CIO) for H.R. 50, which would grant statehood to Hawaii. It is highly commendable that the subcommittee is considering this legislation in the very first month of the 86th Congress. We hope that this speed will be maintained and that our Nation will shortly have Hawaii as its 50th State.

We recall that in convention after convention of first, the AFL, and then, the AFL-CIO, the delegates of our union have voted, together with representatives of other unions, for resolutions calling for Hawaiian statehood. Putting these resolutions into practice, the American labor movement, represented by officials of the AFL-CIO, have urged congressional committees and individual legislators to bring Hawaii into the Union as a full-fledged partner of our States.

The Amalgamated Meat Cutters & Butcher Workmen of North America (AFL-CIO) is a labor union with 350,000 members in meat markets, packinghouses, and other food and allied industries in every State of the United States and in Hawaii. We want to see a strong and prosperous Hawaii, in which labor fully shares both in the work of building the area's strength and prosperity and in receiving the benefits which come from such economic development. We pledge that our unions will work vigorously to achieve both these goals.

We firmly believe that the economic growth of Hawaii must be supported by the granting of statehood to the islands. Equality with other States will provide Hawaii many important and well-deserved benefits. Getting its fair share of Federal aid for economic and social programs, now provided by legislation, is just one outstanding example of that.

Statehood for Hawaii would certainly be in the interests of our entire Nation. In terms of the U.S. foreign policy, defense efforts, and economic growth, statehood is not only desirable, it is absolutely necessary. We firmly believe the existing States of the United States would benefit every bit as much from Hawaiian statehood as would Hawaii.

Quite frankly, we can see no reason in the world why Hawaii should not quickly become a State. The legislation which the subcommittee is considering should have been on the statute books long ago. Hawaii has more than earned the right to statehood. By any test, whatsoever, be it economic strength, size of population, extent of education, or others, Hawaii has more reason to be a State than some of our long-existing ones.

On behalf of the Amalgamated Meat Cutters & Butcher Workmen of North America, we would like to join in the testimony previously presented by our parent organization, the AFL-CIO, which is the spokesman for American labor. We strongly support H.R. 50 and we urge it be enacted quickly so that Hawaii may speedily become our Nation's 50th State.

Very truly yours,

THOMAS J. LLOYD, *President.*
PATRICK E. GORMAN, *Secretary-Treasurer.*

OFFICE OF COUNTY CLERK, COUNTY OF KAUAI,
Lihue, Kauai, T.H., January 26, 1959.

Subject: Request for Hawaiian statehood in 1959.

Hon. LEO O'BRIEN,
*Chairman, House Territories Subcommittee,
 House Office Building, Washington, D.C.*

DEAR SIR: As directed, we enclose herewith certified copies of resolution No. 29 (1959) of the board of supervisors of the county of Kauai, T.H., touching upon the marginal subject.

Very respectfully,

J. K. BURGESS, Jr.,
County Clerk, County of Kauai.

RESOLUTION No. 29—REQUEST FOR HAWAIIAN STATEHOOD IN 1959

Whereas the Territory of Hawaii is politically, economically, and socially qualified for statehood, said qualifications having been fully examined by many congressional hearings on Hawaiian statehood; and

Whereas the Territory of Hawaii has adopted a proposed State constitution and is prepared to assume immediately all the obligations of statehood; and

Whereas statehood is the most cherished aspiration of the people of Hawaii and the admission of Alaska as the 49th State adds unbounded hopes to Hawaii's aspiration for statehood: Now, therefore, be it

Resolved by the Board of Supervisors of the County of Kauai, That the Congress of the United States be, and it is hereby, respectfully requested to grant statehood to Hawaii during this session of Congress; be it further

Resolved, That copies of this resolution be forwarded to the Honorable Dwight D. Eisenhower, President of the United States; to the Honorable Richard M. Nixon, Vice President of the United States; to the Honorable Sam Rayburn, Speaker of the House; to the Honorable Lyndon B. Johnson, Senate majority leader; to the Honorable Leo O'Brien, chairman of the House Territories Subcommittee; to the Honorable Everett McKinley Dirksen, Senate minority leader; to the Honorable Charles A. Halleck, House minority leader; and to the Honorable John A. Burns, Delegate to Congress from Hawaii.

Introduced by:

A. C. BAPTISTE, Jr.,
Chairman and Executive Officer.
 RAYMOND D. SOUZA,
Supervisor.
 GEORGE H. TOYOFUKU,
Supervisor.
 LOUIE GONSALVES, Jr.,
Supervisor.
 RAYMOND X. AKI,
Supervisor.
 TSUNETO KUNIMURA,
Supervisor.
 CHIYOZO SHIRAMIZU,
Supervisor.

OFFICE OF THE COUNTY CLERK, COUNTY OF KAUAI, T.H., LIHUE, KAUAI, T.H.

CERTIFICATE

I hereby certify that hereto attached is a true and correct copy of Resolution No. 29 which was adopted by the Board of Supervisors of the County of Kauai at a meeting held on January 23, 1959, by the following vote of the board:

For adoption: Aki, Gonsalves, Kunimura, Shiramizu, Souza, Toyofuku, Baptiste—total, 7.

Against adoption: None.

Absent and not voting: None.

Dated at Lihue, Kauai, T.H., this 23d day of January A.D. 1959.

J. K. BURGESS, Jr.,
County Clerk, County of Kauai.

RESOLUTION No. 29—REQUESTS FOR HAWAIIAN STATEHOOD IN 1959

Whereas the Territory of Hawaii is politically, economically, and socially qualified for statehood, said qualifications having been fully examined by many congressional hearings on Hawaiian statehood; and

Whereas the Territory of Hawaii has adopted a proposed State constitution and is prepared to assume immediately all the obligations of statehood; and

Whereas statehood is the most cherished aspiration of the people of Hawaii and the admission of Alaska as the 49th State adds unbounded hopes to Hawaii's aspiration for statehood: Now, therefore, be it

Resolved by the Board of Supervisors of the County of Kauai, That the Congress of the United States be, and it is hereby respectfully requested to grant statehood to Hawaii during this session of Congress; Be it further

Resolved, That copies of this resolution be forwarded to the Honorable Dwight D. Eisenhower, President of the United States, to the Honorable Richard M. Nixon, Vice President of the United States, to the Honorable Sam Rayburn, Speaker of the House, to the Honorable Lyndon B. Johnson, Senate majority leader, to the Honorable Leo O'Brien, chairman of the House Territories Subcommittee, to the Honorable Everett McKinley Dirksen, Senate minority leader, to the Honorable Charles A. Halleck, House minority leader, and to the Honorable John A. Burns, Delegate to Congress from Hawaii.

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OFFICE OF THE COUNTY CLERK, COUNTY OF KAUAI, T.H., LIHUE KAUAI, T.H.

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For adoption: Aki, Gonsalves, Kunimura, Shiramizu, Souza, Toyofuku, Baptiste—total, 7.

Against adoption: None.

Absent and not voting: None.

Dated at Lihue, Kauai, T.H., this 23d day of January A.D. 1959.

J. K. BURGESS, Jr.,
County Clerk, County of Kauai.

THE 442D VETERANS CLUB,
Honolulu, T.H., February 6, 1959.

HON. WAYNE N. ASPINALL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ASPINALL: The 442d Veterans Club, comprised of former members of the 442d Infantry Regimental Combat Team, which was engaged in active combat in Italy and France in World War II, firmly believes that the admission of the Territory of Hawaii as a State in the Union would enhance immeasurably the prestige and dignity of the United States as the bulwark of

democracy in the family of nations. It reiterates its endorsement of statehood for Hawaii and respectfully requests your support on actions granting the Territory of Hawaii immediate statehood.

Very truly yours,

FRED S. IDA, *President.*

RESOLUTION

Whereas the Territory of Hawaii has continued in the status of an incorporated Territory of the United States for nearly six decades; and

Whereas, as such Territory, the people of Hawaii have been relegated to an inferior status as compared to their fellow citizens of the 49 States; and

Whereas the people of Hawaii have proven themselves in every conceivable way that they are anxious and capable of governing themselves as a sovereign State of the United States; and

Whereas this proof has been manifested time and again, and continuously, both in times of foreign conflict and in times of peace; and

Whereas Hawaii has stood as a military bastion in the Pacific and a showcase of democracy and international goodwill; and

Whereas the 442d Veterans Club, comprised of former members of the 442d Infantry Regimental Combat Team, which was trained in Mississippi and was engaged in active combat in Italy and France in World War II, firmly believes that the admission of the Territory of Hawaii as a State in the Union would enhance immeasurably the prestige and dignity of the United States as the bulwark of democracy in the family of nations: Now, therefore, be it

Resolved by the 442d Veterans Club, That it reiterates its endorsement of statehood for Hawaii; and be it further

Resolved, That every Member of the Senate and House of Representatives of the United States in Congress assembled, is hereby respectfully requested to take appropriate action in granting immediate statehood to Hawaii; and be it further

Resolved, That copies of this resolution be transmitted to the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Richard M. Nixon, President of the Senate; the Honorable Sam Rayburn, Speaker of the House of Representatives; the Honorable Members of the Congress; and the Honorable John A. Burns, Delegate to the Congress from Hawaii.

Respectfully submitted.

THE 442D VETERANS CLUB,

FRED S. IDA, *President.*

TOGO NAKAGAWA,

Executive Secretary.

DEPARTMENT OF HAWAII, VETERANS OF FOREIGN WARS OF THE UNITED STATES

A RESOLUTION

Whereas the Senate of the United States, on the night of June 30, 1958, passed the Alaska statehood bill by the decisive vote of 64-20, thus completing congressional action on the bill which had previously passed the House of Representatives;

Whereas the passage of the Alaska statehood bill helps pave the way for similar legislation for Hawaii;

Whereas the Veterans of Foreign Wars have for more than 20 years consistently supported statehood for Hawaii, and repeatedly at national conventions, have passed resolutions attesting such support: Now, therefore, be it

Resolved by the appropriate officials of the Department of Hawaii Veterans of Foreign Wars of the United States, That we hereby pledge the support of this organization through continued and increased efforts to achieve statehood for this Territory of Hawaii; and be it further

Resolved, That the Department of Hawaii, Veterans of Foreign Wars of the United States, call on our fellow comrades and sisters of the Veterans of Foreign Wars of the United States and its auxiliaries of the continental United States

(now including Alaska) to work for early passage of the Hawaii statehood legislation.

Adopted this 1st day of July 1958.

Attest:

HARRY L. CHANG,
Department Commander.

JOHN H. CHUNG, Jr.,
Department Adjutant.

CALIFORNIA LEGISLATURE, 1959 REGULAR (GENERAL) SESSION

ASSEMBLY JOINT RESOLUTION No. 2

Introduced by Messrs. Busterud, Marks, Mulford, Bruce F. Allen, Britschgi, Crawford, Cusanovich, and Z'berg, January 12, 1959

ASSEMBLY JOINT RESOLUTION NO. 2—RELATIVE TO STATEHOOD FOR HAWAII

Whereas the Territory of Hawaii has for many years sought to become a State of the United States with full privileges of statehood and first-class citizenship for its peoples; and

Whereas this recognition was recently granted to Alaska, and both political parties have recognized that every consideration of fairness demands that the people of Hawaii receive the same status in our Nation; and

Whereas Hawaii has long since fulfilled all the requirements for statehood, and no valid reason remains for postponing its entry into the brotherhood of the United States; and

Whereas the people of California feel especially sympathetic to this proposal of statehood for the islands, because of the volume of travel and commerce between the west coast and Hawaii which have so increased in recent years: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress and the President of the United States are respectfully memorialized to enact at this session of Congress such laws as are necessary for the admission of the Territory of Hawaii to statehood in the United States; and be it further

Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

NEBRASKA STATE LEGISLATURE,
January 19, 1959.

HON. DONALD F. MCGINLEY,
House Office Building, Washington, D.C.

DEAR DON: I am enclosing herewith a copy of Legislative Resolution 5 which was passed by the Legislature of Nebraska in 69th regular session on the 15th day of January 1959.

Very truly yours,

HUGO F. SRB, *Clerk of the Legislature.*

LEGISLATURE OF NEBRASKA, 69TH SESSION

LEGISLATIVE RESOLUTION 5

Introduced by David D. Tews, 15th district, Stanley Portsche, 19th district

Whereas the Territory of Hawaii is vital to the defense of the United States; and

Whereas said Territory has greatly contributed to the economic and cultural life of the United States; and

Whereas the people of said Territory have demonstrated their maturity, responsibility, and willingness to accept in full, and ability to discharge, the responsibilities that accompany citizenship in one of the States of the United States; and

Whereas not only principles of fairness, but also considerations of mutual benefit to said Territory and the States of the United States demand that said Territory be granted immediate statehood: Now, therefore, be it

Resolved by the members of the Nebraska Legislature in 69th session assembled

1. That the Members of Congress are hereby memorialized to grant immediate statehood to the Territory of Hawaii.

2. That copies of this resolution be transmitted by the clerk of the legislature to the Vice President of the United States as President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to each Member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

DWIGHT W. BURNEY,
President of the Legislature.

I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 5, which was passed by the Legislature of Nebraska in 69th regular session on the 15th day of January 1959.

HUGO F. SRB,
Clerk of the Legislature.

TWENTY-FOURTH LEGISLATURE, STATE OF NEW MEXICO

HOUSE JOINT MEMORIAL NO. 5

INTRODUCED BY ANDERSON CARTER, ALVA J. PARKER, JAMES R. PATTON, AND JACK CAMPBELL

A joint memorial memorializing the Congress of these United States to extend the fullest rights, duties, and blessings of statehood upon Hawaii by admitting her to the Union of the United States of America

Whereas over 99 percent of the pupils in the public schools of Hawaii are citizens of the United States; and

Whereas the half million people of the islands include among their members large numbers of three great racial groups who speak five of the great languages heard around the world; and

Whereas members of nearly 50 language and racial groups and subgroups have long been associated together in amity and mutual esteem in the public schools of the Territory; and

Whereas as long ago as 1851 the islanders secretly petitioned these United States to be taken under our protection; and

Whereas the islands of Hawaii were annexed by joint resolution of Congress in 1898 and established as a Territory by law in 1900; and

Whereas the people of the Territory have amply demonstrated their capacity for self-government and self-reliance; and

Whereas the people of the United States must demonstrate to the world that our published ideals of liberty, fraternity, and equality are in truth a living creed to which we adhere: Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That the Congress and President of the United States be respectfully petitioned to admit Hawaii to statehood without delay; and be it further

Resolved, That copies of this joint memorial of the Legislature of the State of New Mexico be sent to the President of the United States, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and to the members of the New Mexico delegation to the U.S. Congress.

ED V. MEAD,
President, Senate.

HAL THORNBERRY,
Chief Clerk, Senate.

MACK EASLEY,
Speaker, House of Representatives.

ALBERT ROMERO,
Chief Clerk, House of Representatives.

Mr. O'BRIEN. I understand that Mr. George D. Riley is now in the room.

Mr. George D. Riley is legislative representative for the AFL and the CIO. Mr. Riley.

STATEMENT OF GEORGE D. RILEY, AFL-CIO LEGISLATIVE REPRESENTATIVE

Mr. RILEY. Thank you for identifying me, Mr. Chairman.

The AFL is now, as it has been in the past, on record for statehood for Hawaii, just as it was on the record for statehood for Alaska. I have a brief statement, and I would appreciate it if it may be included in the record.

Mr. O'BRIEN. Without objection, it is so ordered.

(The statement referred to is as follows:)

STATEMENT OF GEORGE D. RILEY, AFL-CIO LEGISLATIVE REPRESENTATIVE, IN SUPPORT OF H.R. 50 AND RELATED BILLS ON HAWAIIAN STATEHOOD

The AFL-CIO continues to give full support to the proposition of statehood for Hawaii, as was stated at the AFL-CIO convention 2 years ago:

"Justice demands that the people of * * * Hawaii, American citizens, be given the same rights and privileges that are enjoyed by those in the 48 States. They are at present deprived of any real representation in the U.S. Congress, and of the right to vote for President. Governors not of their own choosing have broad powers over their local affairs. Although they are deprived of these rights of citizenship, they must meet the obligations of citizenship, for they are not excused from taxation and military service."

The AFL-CIO has consistently endorsed Hawaiian statehood, just as it did Alaskan statehood. More than a century ago, Hawaii, at that time a kingdom, started negotiations with the United States for statehood. As the years passed, the bonds between Hawaii and this Nation grew closer and tighter until annexation in 1898.

During the present century, pleas and petitions have been directed to the Congress in a steady succession and, by the time of the outbreak of the Pacific war in the early 1940's a plebiscite had shown a 2 to 1 majority supporting desire for statehood. World War II interfered with further attention to the issue, but not for long.

The Republican national platform has declared that, "We favor immediate statehood for Hawaii." The Democratic platform for 1956 called for "* * * immediate statehood for the Territory." Apparently there has been no change from the two previous announcements. In addition to the platform planks on the subject, there have been many messages to the Congress containing the proposal that Hawaii be admitted as a full-fledged member to the family of States.

With the exception of three or four sessions of the Hawaiian Legislature, starting as early as 1903, petitions have come to the Congress from Hawaii calling for admittance into the Union.

Further strengthening Hawaii's claim is the fact that this is an incorporated Territory, which fact is pointed to by statehood adherents as establishing a right to statehood as contrasted to claims which might be set up by unincorporated territories.

Some 20 congressional hearings have weighed the fitness of Hawaii for statehood while the House has passed statehood bills in 1947, 1950, and 1953. There apparently remains little unsaid on the subject. As recently as 1956, the President has used the following words in Hawaii's favor:

"Statehood, supported by the repeatedly expressed desire of the islands' people and by our traditions, would be a shining example of the American way to the entire earth."

The argument that the Hawaiian Islands are hundreds of miles from the mainland has now been discredited in the admittance of Alaska which is not contiguous to any of the other States. The United States has tried repeatedly to make showcases of democracy in and along the vast Pacific Basin in nations under other flags. In the Hawaiian Islands, already under the American flag,

we have been remiss in making the same effort where the attempt will count for most and through a minimum of energy to accomplish the same results.

Hawaii's finances are solvent, supported by substantial resources in industries and in terrain, assuring a strong economy among an industrious, loyal, honest people. Hawaii pays into the U.S. Treasury amounts in excess of that paid by nine of the present States by a population greater than four existing States.

For these reasons and for others well known to this committee, the AFL-CIO supports the provisions of H.R. 50 and other bills intended to bring about the same result—statehood for Hawaii.

Mr. RILEY. There is a slight comment I would like to make. It seems to me, and I believe I am representative of my organization, that the people of Hawaii have all responsibilities of citizenship but lack a great deal of having the rights of citizenship.

Here now, after some 55 years of agitation, let us hope that this is the year the Congress will act, now that there has been the clearance in the case of Alaska and the precedent has been well established.

Mr. O'BRIEN. Thank you very much, Mr. Riley.

Are there any questions? Mr. Sisk?

Mr. SISK. I am very happy Mr. Riley is before us this morning.

I would like to welcome you, Mr. Riley. You may not have these figures, but in view of certain discussions about labor and labor organizations in Hawaii, can you tell me offhand what the total membership of the AFL-CIO in the islands is at the present time?

Mr. RILEY. In the islands, or in the entire Federation?

Mr. SISK. No; in the islands.

Mr. RILEY. I don't have it, but I would be very pleased to supply it. I wouldn't want to give you a guess, because it wouldn't be an educated one, but I will come up with it and include it in a letter to you, which you may, if you wish, include in the transcript. It is a perfectly good question. I am glad to have it.

Mr. SISK. I know we had the experience last fall of being out there and of meeting a Mr. Nichols, Charles Nichols, out there, representing the building trades. And I think some 2 years ago when he went out there they had about 150 members.

In the entire islands today it numbers over 2,600 in his particular craft, alone, which I think shows a very definite increase in the number of members.

Mr. RILEY. I am sure we have a sizable number. I would be very glad to supply it to you.

Mr. O'BRIEN. If the gentleman will yield, wasn't the gentleman told by Mr. Kaiser while he was there that the workers from that union were among the finest workers he had ever encountered anywhere in his extensive activities?

Mr. RILEY. And I might say our membership is not confined entirely to the Caucasian race, by any means. We take skills where they are to be found and where they have a desire to be union members.

Mr. O'BRIEN. Are there any further questions?

Thank you very much, Mr. Riley.

I think I should announce at this time, before some of the gentlemen may have to go elsewhere, that we will continue this hearing at 2:30 this afternoon, at which time Mr. Seaton, the Secretary of the Interior, will return.

We have heard all the scheduled witnesses this morning; but I hate to lose any time. I know we have a gentleman in the room who

might be able to give us some information on this labor problem that the gentleman from California raised. He is Mr. Ralph Beck, vice president of the Hawaiian Telephone Co. He is prepared, I understand, to testify orally on labor relations. He has some statistics for the record. They are in his hotel. Perhaps they could be inserted following his testimony at a later date.

Is Mr. Beck here?

**STATEMENT OF RALPH BECK, VICE PRESIDENT OF THE HAWAIIAN
TELEPHONE CO.**

Mr. BECK. Thank you, Mr. Chairman.

Mr. O'BRIEN. May I say, before you make your statement, several questions have been raised here this morning which indicate the principal arguments against statehood. The gentleman raised the question whether the people want it, a very important question. Then we had the question of the mixed races, a question which I don't think would be raised against the bill in this committee, but we know it will be raised elsewhere, either openly or behind some other excuse. And we also know that if the House discussion follows the pattern of the past, we are going to hear very sweeping statements.

We are going to hear, for example, that you have in Hawaii a labor union controlled completely, dominated, by Communists, and that those leaders can deliver people in that union politically and in every other way, and that we have a State where we will actually have Communist control.

That is not my statement, I emphasize. But I know—I have learned it by heart—that it will be made on the floor of the House. That is why I think whenever we have a witness here who has had contact with labor, who is, as you are, a personnel manager, you can have something very important to contribute in that field.

I am not suggesting the line of your testimony. I am only suggesting what we may have to encounter later on.

You may proceed, Mr. Beck.

Mr. BECK. For the purpose of the record, my name is Ralph Beck, Jr. I was born in Sioux City, Iowa. I was educated in California, having graduated from the University of California in 1936. Immediately after graduating from the university, I went to Hawaii.

I have been associated with the Hawaiian Telephone Co. since 1941. I am currently vice president of that company.

The labor relations work in that company is under my direction, as well as several other areas of the particular business. I am currently a member of the board of governors of the Hawaiian Employers Council, which, as the name implies, is an employers' association. I have been a director and am at the present time, of other Hawaiian corporations and have served as a director of the Chamber of Commerce of Honolulu.

I am a member of the Coast Guard Appeals Board, where I have access to confidential information. I have served as a member of mediation boards appointed by the Territory of Hawaii in labor disputes.

I have been identified with the management phase of labor relations in Hawaii since before World War II. I am on a very friendly

basis with many of the labor leaders in Hawaii. I know them quite well.

Our particular company was organized by the International Brotherhood of Electrical Workers in 1943, and I have been the spokesman for our company in every one of our contract negotiations since that time.

I am familiar with the Communist question that you mentioned in Hawaii. I do not think that it is anything that should bar statehood. I think the problem is greatly overemphasized and far less effective than is popularly thought.

I might explain about unionism in Hawaii to those of you who perhaps have never been there. During World War II, Hawaii was under the direction of a Military Governor, and as such, employees in vital industry, which included agriculture, were actually frozen to their job. Hawaii, as you know, during World War II, was the bastion of the Pacific for training and staging purposes as well as for other military designs.

There were huge construction projects of airfields and other installations of that type for the military, and by and large the people who worked on those projects were from the mainland United States, working at considerably higher wage levels than our local people, who were frozen to their jobs in the essential industries I mentioned. It was a sore spot insofar as local people were concerned, and as a result they were eager for organization by labor unions immediately after the cessation of hostilities. That proved to be correct, and within a year most of the main industries in Hawaii found themselves unionized.

I want to substantiate what Mr. Masaoka mentioned to you this morning. I think he gave you a very clear picture of our islands and our people there.

I work with people of Japanese ancestry. They are my associates in my business. They are my friends. And having lived there since 1936, I think I know them quite well.

As an example, I have a man that works on my particular staff that enlisted as a private in the 442d Combat Team and received his honorable discharge as a captain. He is highly respected and highly regarded as one of our key executives.

My company has approximately 1,750 employees of all races and ethnic origins. We work together very well, as I think the history will show over the past number of years.

So far as communism is concerned we do have Communists in Hawaii. They have been identified by various congressional committees. But in my judgment having worked with people of various labor unions, not only from the standpoint of my company, but other companies, and having had access to information about virtually every labor negotiation and strike in Hawaii, that Communists are far less effective, as I said before, than is sometimes thought.

The statistics you referred to are the number of man-days lost by labor strikes and disturbances in Hawaii percentagewise as compared to the mainland United States.

(The matter referred to is as follows:)

RESEARCH DEPARTMENT,
HAWAII EMPLOYERS COUNCIL,
August 1957.

RESEARCH REPORT: STRIKES AND WORK STOPPAGES, UNITED STATES AND HAWAII

This report shows the number of work stoppages, the total man-days lost and the man-days lost as a percent of total available working time from 1945 to date for the United States and Hawaii. Data for the United States are from the Bureau of Labor Statistics and data for Hawaii are compiled by the research department of the Hawaii Employers Council.

(NOTE: See RR-677 for definition of work stoppage terms used by Hawaii Employers Council with deviations from BLS definitions noted and RR-679 for a listing of the stoppages occurring in Hawaii.

United States

Year	Number of strikes	Man-days idle	Man-days idle as a percent of total available working time
1945.....	4,750	38,000,000	0.47
1946.....	4,985	116,000,000	1.43
1947.....	3,693	34,600,000	.41
1948.....	3,419	34,100,000	.37
1949.....	3,606	50,500,000	.59
1950.....	4,843	38,800,000	.44
1951.....	4,737	22,900,000	.23
1952.....	5,117	59,100,000	.67
1953.....	5,091	28,300,000	.26
1954.....	3,468	22,600,000	.21
1955.....	4,320	28,200,000	.26
1956.....	3,825	33,100,000	.29
1957.....	3,673	16,500,000	.14
1958.....	¹ 3,400	¹ 23,500,000	¹ .2

Hawaii

Year	Number of strikes	Man-days lost	Man-days lost as a percent of total available working time
1945.....	10	8,922	0.03
1946.....	25	1,911,195	5.63
1947.....	23	95,481	.26
1948.....	12	120,856	.33
1949.....	9	244,212	.72
1950.....	34	49,493	.15
1951.....	19	149,397	.42
1952.....	32	66,232	.20
1953.....	19	96,332	.29
1954.....	18	38,435	.12
1955.....	20	25,917	.08
1956.....	22	18,480	.06
1957.....	32	15,762	.05
1958.....	¹ 25	¹ 1,152,244	¹ 3.35

¹ Preliminary.

Mr. BECK. They indicate that for the past 14 years, 9 of those years were far less, percentagewise, labor disturbances and man-days lost due to strikes, than throughout the mainland United States.

My source for that is a research study from the Hawaii Employers Council, who in turn drew upon the U.S. Department of Labor, Bureau of Statistics, for additional information.

Mr. O'BRIEN. Without objection, the statistics mentioned will be made a part of the record at the conclusion of your testimony.

Mr. BECK. Thank you.

Mr. O'BRIEN. I have just one question. The total labor force, as I understand it, in Hawaii, is about 210,000. Is that correct, in your understanding?

Mr. BECK. That is correct. It is approximately that.

Mr. O'BRIEN. Then about 90 percent of the labor force in Hawaii does not belong to the ILWU?

Mr. BECK. Ninety percent of the labor force, the 210,000? I would say it would be approximately 10 percent that belong to the ILWU.

Mr. O'BRIEN. Ten percent; but very close to 90 percent do not?

Mr. BECK. That is correct.

Mr. O'BRIEN. The labor union with which you have dealings, the one you mentioned in your testimony—is there any evidence of Communist domination in that union?

Mr. BECK. No. At no time. It is an AFL union, now with the AFL-CIO. At no time have we had any trouble so far as communism is concerned with our union. And I think that the various intelligence agencies that have the information for your use would substantiate my statement. But I know the leadership of this union and many of its members personally, Mr. Chairman, and I know the union leaders' backgrounds. I know our employees very well. And we have never had any question about any Communist domination of the union that is recognized by our company.

Mr. O'BRIEN. Then as a prominent citizen and employer of Hawaii, let me ask you this question: Do you believe that what Communists there may be in Hawaii—and unfortunately I suppose there will be Communists most anywhere you want to look—do you believe that they exercise a dominant role in electing or defeating public officials and in approving or disapproving matters submitted to the electorate?

Mr. BECK. No; I do not.

Mr. O'BRIEN. Have there been some recent instances where they might have attempted to exercise such control and where they were repudiated?

Mr. BECK. Yes. There have been. I don't think that communism is any more effective in Hawaii than it is in any part of the United States, that is of similar size and population.

Mr. SAYLOR. What was that statement, Mr. Beck?

Mr. BECK. It is not any more effective in Hawaii than in any place in the United States.

It is true that the unions, and in particular the ILWU, have endorsed candidates for politics, sometimes without the candidate's permission. Sometimes it has been repudiated. Sometimes it has not. But insofar as electing their own candidates is concerned, one of the most outstanding examples occurred last fall, in our elections. The top representative of the ILWU on the island of Kauai was defeated in his bid for the local house of representatives.

It is my personal opinion, but substantiated by men who are in the labor relations field, that labor unions cannot deliver the vote at the polls, whether they say so or not.

Mr. O'BRIEN. I have just one final question.

In addition to your Hawaiian background, you have a background on the mainland. You were born here and educated here?

Mr. BECK. Yes, sir.

Mr. O'BRIEN. And I assume in your capacity as a high official of the telephone company, you frequently visit the mainland?

Mr. BECK. About three to four times a year.

Mr. O'BRIEN. Do you know of any place, any large community or area, where the communism which does exist is under a brighter spotlight, more talked about, and the persons identified with communism or suspected of identification with communism, are better known, than in Hawaii?

Mr. BECK. I would agree with that, Mr. Chairman, as a very correct statement. In addition to the various committees that are identified with the Senate and the House of Representatives and our Congress here, that have made investigation trips to Hawaii, we have our own Territorial commission on subversive activities. We have the Hawaii Residents Association, which is known locally over there as Imua, I-m-u-a. That is a Hawaiian word that means "forward."

Those committees and those organizations have exposed communism in Hawaii, and the individuals that have been identified as Communists are well known in the islands.

There has been a Smith Act trial over there, in which seven were convicted and subsequently appealed and were acquitted on appeal.

Mr. O'BRIEN. I think those are all the questions that I have, except that I would like to make one observation of my own, if I may. I don't think that there is any member of this committee that would want to admit to the Union any area which was dominated by Communists or where there was an overwhelming number of Communists.

I can state this as the simple truth, that the committee which went over to Hawaii last fall was determined not to be put in the position of standing on the floor of the House and advocating statehood for a Communist-dominated area, of saying on the floor of the House that there was no communism, and having the limb sawed off from underneath us.

So if you were there at the time we visited, I think you will agree that we looked right down the barrel of the Communist cannon. And while I wouldn't say it was exactly a popgun, we discovered, to our satisfaction at least, that the people there talked more about the Communists they had or suspected and were more determined to keep them in check than any place I ever visited. There were regular radio programs blasting away at the Communists. It seemed to me that they were just like moths caught in the glare of a huge spotlight.

We also were informed by people whose responsibility it was to keep their eyes on those people that they were falling off in numbers; that the apparatus, such as it was, had been crippled, and badly crippled, by these trials you mentioned.

It was my considered judgment, and I can only speak personally, that Hawaii has the matter completely under control and that statehood would give them additional weapons, if they needed them.

Mr. BECK. I think you are very right. And if I may add just one more statement to that effect: Since I had the pleasure of meeting you and Mr. Sisk and Mr. Berry while you were in Hawaii this fall, I might say that prior to your trip the Honolulu Record, which is

popularly to be considered a leftwing paper in Hawaii and has been largely supported by ILWU, has now gone out of business. It is defunct. The ILWU English language daily radio broadcast has been off the air for some time. I think there are various reasons for that. One in particular that I would like to mention is that I cannot help but feel, from the people I know in the ILWU movement, that the experience Russia had with the satellite countries and the Hungarian revolution, had a great deal to do with the thinking of those who had leftwing tendencies there.

Mr. HALEY. Will the gentleman yield at that point?

Mr. O'BRIEN. Yes, surely.

Mr. HALEY. Mr. Beck, you said—or did I misunderstand you—that the Communist radio had been off the air for some time?

Mr. BECK. I didn't use the word "Communist," Mr. Haley. The ILWU, the International Longshoremen's and Warehousemen's Union, which has been accused of being Communist dominated, had for years a daily radio broadcast in the English language as well as in Japanese and in Ilocano, which is a Filipino dialect. The English commentator has been off the air for several months.

I say that is significant, as well as the fact of the Honolulu Record going out of business because these two propaganda arms no longer exist there. How long that will be, I don't know.

Mr. HALEY. In addition to the radio broadcast, didn't the International Longshoremen's Union also have a newspaper?

Mr. BECK. Yes.

Mr. HALEY. How many?

Mr. BECK. The International Union's headquarters in San Francisco publishes a newspaper they call the Dispatcher. In Hawaii, the local unions of the ILWU have their own paper, which is called the Reporter.

Mr. HALEY. Just one newspaper, then, controlled by the International Longshoremen's Union?

Mr. BECK. It is their own paper, sir. Anybody can subscribe to it, as far as that is concerned, but it is not like our daily press. It is basically union news to their membership.

Mr. HALEY. Mr. Beck, would you know of your own knowledge how many members the International Longshoremen's Union has in Hawaii, approximately?

Mr. BECK. Most of the sugar industry bargaining unit are union members. There are approximately 15,000 employees in sugar, including management. I am using the word "approximately," because I don't have the figures before me, but they are fairly accurate.

About 65 percent of the employees of the bargaining unit in the pineapple industry belong to the ILWU.

Mr. HALEY. Approximately how many would that be?

Mr. BECK. It would be less than sugar. I would have to say somewhere around 12,000, perhaps. I can get that figure for you, sir.

Mr. O'BRIEN. Would the gentleman yield?

We were told both by the union and management over there that the total membership of the ILWU was approximately 23,000 in all the islands.

Mr. HALEY. The gentleman has said there is approximately 15,000 in the sugar industry and approximately 12,000 in the pineapple in-

dustry. How many are in the Longshoremen's Union that operates on the docks and so forth?

Mr. BECK. I think on the several islands where there are ports, approximately 2,000, sir, but you can't add all these figures together. Some are not members of the union. The ILWU does have contracts with other companies outside of the industries mentioned here.

Mr. HALEY. Is there any other group that is controlled, to your knowledge, that belongs to the International Longshoremen's Union, that you know of?

Mr. BECK. Employees of other companies?

Mr. HALEY. Other than the sugar industry, the pineapple industry, and the dockworkers.

Mr. BECK. Oh, yes, sir. They do have contracts with other companies.

Mr. HALEY. What others?

Mr. BECK. One I know about personally is Love's Biscuit and Bread Co. That is a large baking company that serves all the islands.

Mr. HALEY. The ones you are talking about now are in small groups?

Mr. BECK. Yes, sir.

Mr. HALEY. There would be no large group?

Mr. BECK. That is correct.

Mr. HALEY. Approximately how many do you think are in these small groups?

Mr. BECK. This would just be a guess. I can get the information for you. But I would suggest perhaps 2,500 to 3,000. At the very most, it would not exceed that.

Mr. HALEY. This International Longshoremen's Union is the same organization that Mr. Bridges is head of on the States side? Is that correct?

Mr. BECK. That is right.

Mr. HALEY. It is also the same organization that is controlled by, or at least its chief officers are the officers that have been indicted, tried, and convicted by, the courts of Hawaii. Would that be correct?

Mr. BECK. Some of them have been. But there are other officers that have never been accused of being Communists.

Mr. HALEY. Who, then, are the men who are active in this organization and reputedly control it, who have been convicted and are now awaiting sentence on appeal?

Mr. BECK. They were acquitted by the Ninth Court of Appeals, sir, and the case is closed.

Mr. HALEY. They were convicted, though, in the original instance by a court over there, and that was some 4 or 5 years ago?

Mr. BECK. Yes, sir.

Mr. O'BRIEN. Will the gentleman yield?

Was that conviction by a Hawaiian court in Hawaii?

Mr. BECK. By a Federal court in Hawaii, yes, sir.

Mr. O'BRIEN. Was that a jury trial?

Mr. BECK. Yes, sir.

Mr. O'BRIEN. With Hawaiian residents on the jury?

Mr. BECK. Yes, sir.

Mr. HALEY. Mr. Beck, would you have any idea as to the number of votes cast in the last general election in Hawaii?

Mr. BECK. I believe Mr. Burns mentioned this morning approximately 155,000.

Mr. HALEY. I wonder, Mr. Burns, if you have that accurately?

Mr. BURNS. I do, sir.

Mr. HALEY. I wonder if the gentleman could supply it for the record.

Mr. BURNS. I will, sir.

(The information follows:)

The official tabulation of the results of the votes cast of the Territorial election held Tuesday, November 4, 1958, attested by the secretary of Hawaii, Hon. Edward E. Johnston, shows:

Total registered voters-----	175, 317
Total votes cast-----	154, 293
Total Democratic-----	81, 915
Total Republican-----	67, 609
Total Commonwealth-----	1, 268

Mr. HALEY. So even based on the 155,000 votes that were cast in the last election—the figures you gave me, Mr. Beck, I realize, are just your best knowledge. That totals 32,000 votes. Now, based on that, do you think that this International Longshoremen's Union has a large amount of control, or a reasonable amount, or any control at all, as to this election of men to public office in Hawaii?

Mr. BECK. This is strictly my own opinion, Mr. Haley. As I mentioned previously, labor unions publicly indicate that they can control the vote. Labor leaders tell me privately quite the contrary. It is my personal conviction that no union can dictate to their membership how to vote in the privacy of the polling booth. And I don't believe that the ILWU is any more effective in that respect than any AFL-CIO union is.

Mr. HALEY. Well, they have been effective to this degree, have they not, Mr. Beck: That any time that they have called a strike in Hawaii, they have tied up the entire islands economically? Isn't that true?

Mr. BECK. No, sir. As an example, we had a 128-day sugar strike in 1958, and by no means did that tie up the entire economy of the islands.

Mr. HALEY. Let me ask you this: When the men on the docks have called a strike, they have been very successful in tying up the economic situation in the islands, have they not?

Mr. BECK. That was in 1949 that we had an approximately 6 months' strike on the local waterfronts. At that time, and toward the termination of that dispute, a special session of the Territorial legislature was called by the then Governor, and a special piece of legislation known as the Hawaii Dock Seizure Act was passed, by which the government would operate the various island ports in the case of a labor dispute.

Since 1949, that law has not been used. It was used, however, to settle the dispute in that year.

Mr. HALEY. You speak of the last strike?

Mr. BECK. The big waterfront strike?

Mr. HALEY. Then what kind of strike did they have, Mr. Beck, in Hawaii just prior to Christmastime in 1954?

Mr. BECK. I don't recall, sir.

Mr. HALEY. You were there in 1954, were you not?

Mr. BECK. Yes, sir, I was. Just prior to Christmas in 1954?

Mr. BURNS. Will the gentleman yield?

I think it is 1956, if the gentleman please.

Mr. HALEY. Well, I was in Hawaii in 1954, I believe in November or December, and as I recall it now, you had a situation, whether it was on the mainland or whether it was in Hawaii, where all the ships coming in there were tied up, and you were trying to bring Christmas trees or something into the island of Hawaii, and you couldn't move one ship.

Mr. BECK. I think that, Mr. Haley, was a strike that started on the west coast of the United States.

Mr. HALEY. But it spread out there, didn't it?

Mr. BECK. Yes. So there was no control insofar as Hawaiian employers were concerned.

Mr. HALEY. So when you say you haven't had a strike on the dock since 1949, you are in error, are you not?

Mr. BECK. No, sir, I don't think I am. I mean, from the definition and connotation of those words, Mr. Haley, I mean a strike that was started in Hawaii and led by the Hawaiian labor leaders. We have had sporadic stopwork meetings and walkoffs in our various island ports since 1949. But I mean an extended labor dispute.

Mr. HALEY. A stopwork or walkoff or anything else still to all intents and purposes stops anything from moving, does it not?

Mr. BECK. Yes, sir; just like the port of New York.

Mr. HALEY. In 1956, you had another situation out there, did you not, that pretty much tied up the islands?

Mr. BECK. A strike in Hawaii in 1956?

Mr. HALEY. I don't know whether you want to call it a strike or a walkout or a sitdown proposition, or what, but didn't you have something then which again tied up the transportation systems and so forth of Hawaii?

Mr. BECK. I would have to refresh my memory, sir, as to whether it was similar to the 1954 dispute you were talking about.

Mr. HALEY. Maybe the Delegate could enlighten the gentleman from Florida.

Mr. BURNS. I think the gentleman from Florida in this instance is referring to a political demonstration that was called for by the present day ILWU in 1956 in connection with the visit of the Senate Internal Security Committee.

Mr. HALEY. So then we have a situation where the International Longshoremen's Union or whatever you have got out there, simply because an investigating committee of the United States Senate was out there, didn't like that, so they tied up the facilities of the entire island, simply because men were out there investigating the internal security of those islands. Is that right?

Mr. BECK. No, sir. In 1956 the Senate Internal Security Committee did hold investigations in Hawaii. It is true that in particular the ILWU did demonstrate against the committee; but by no means—and that is why I answered in the negative to your question—did it tie up all the facilities in Hawaii. That is a statement that is far too sweeping, sir.

Mr. HALEY. It tied up a substantial part of the islands, did it not?

Mr. BECK. No, sir. I don't mean to contradict you; but companies like my company, the Hawaiian Electric Co., all of the other utilities in Hawaii, were operating. Almost all businesses were operating. Very, very few people attended this demonstration that occurred in

the palace grounds. But by no means did it stop the economy of Hawaii.

Mr. HALEY. Mr. Beck, you are the vice president of Hawaii Telephone; is that right?

Mr. BECK. That is right.

Mr. HALEY. Do you have any direct negotiations with the International Longshoremen's Union? You deal with the CIO or the AFL, or what?

Mr. BECK. Our company is organized by the International Brotherhood of Electrical Workers, which is an AFL-CIO union. That is the only contract we have with a union. We operate on six islands. Communications within those six islands, between those islands, and also we are sharing as a partner with A.T. & T. an interest in the transpacific telephone submarine cable that was installed in 1957.

Mr. HALEY. I believe your statement was that you had had no trouble with the electrical union that you deal with. Is that correct?

Mr. BECK. I said it in connection with the subject of communism. That is true. We have never had any suspicion, nor have any public agencies, about the leadership in our union. I know them well.

Mr. HALEY. I am glad to hear that.

The gentleman wanted me to yield, I believe.

Mr. SISK. I simply wanted to say to my colleague with reference to the question of the 1956 tieup, I know we all abhor very much anything in connection with a political strike. And due to that fact, of course, the committee looked into it very carefully. We found that particularly on the island of Hawaii, no one went off. They all refused to go off the job. And in all other islands, I think there were only a small percentage of the men that participated.

I just wanted to clarify that. I believe my chairman will bear me out.

Mr. O'BRIEN. Will the gentleman yield further?

I would like to ask Mr. Beck: The power of any particular union to cripple the economy of the islands would be just as devastating to the islands and to the mainland whether Hawaii was a State or a Territory; is that not correct?

Mr. BECK. That is true, sir.

Mr. O'BRIEN. Part of the United States?

Mr. BECK. That is true.

Mr. ROGERS. Mr. Beck, do your employees enjoy a 25 percent differential? Are they paid over and above what they would receive in this country for the same type of work?

Mr. BECK. No, sir. That is true with Federal employment in Hawaii, but insofar as private business is concerned, we don't follow that at all.

Mr. ROGERS. I mean: Is your pay scale the same as it is in this country, or is it about 25 percent higher?

Mr. BECK. In my company, which I think is representative of the major employers in Hawaii, about half of our pay rates are on a par with similar occupations throughout the mainland telephone industry. The other half are approximately 15 to 16 percent below. This latter group are our craftsmen.

Mr. BURNS. Would the gentleman from Florida yield for 1 minute? I will read those figures into the record at this point.

Mr. HALEY. What figures does the gentleman have?

Mr. BURNS. I have the official tabulation, result of votes cast, election held Tuesday, November 4, 1958. I will read the total registered votes cast. The total registered voters, 175,317. Total votes cast, 154,293.

Mr. HALEY. I might say that is a compliment to the people of Hawaii. In percentage they seem to do much better than States here on the mainland. I hope if and when you get statehood, you will continue to do that.

The gentleman wanted to say something?

Mr. BECK. I was going to make the same statement you just made. I think that percentagewise our voting population is probably greater than many of the States where people exercise their franchise.

Mr. HALEY. Maybe the gentleman from Hawaii can answer this: What is the voting age limit in Hawaii, and what is its qualifications?

Mr. BECK. By age, it would be 21, and the second qualification would be residence in Hawaii for a year or longer and American citizenship.

Mr. HALEY. One year?

Mr. BECK. Yes. And the ability to read and write.

Mr. HALEY. Those are the only necessary qualifications?

Mr. BECK. Yes, sir.

Mr. SAYLOR. Would the gentleman from Florida yield at that point?

I would like to say the qualifications in Hawaii are identical with those of Pennsylvania, and we are very proud of them in Pennsylvania.

Mr. HALEY. Well, I might say to my distinguished friend and able colleague from Pennsylvania that the same qualifications prevail in my State, and I think generally.

Mr. ROGERS. Do you mean they have John Saylor in Hawaii, too?

Mr. SAYLOR. I hope they do. I might say John Saylor has a lot of friends in Hawaii.

Mr. O'BRIEN. Mr. Saylor?

Mr. SAYLOR. Mr. Beck, I have just a few questions.

You stated that in your opinion the people who are known Communists in the Territory of Hawaii do not dominate the ILWU or any other union of which you have knowledge. Is that correct?

Mr. BECK. Could you repeat the latter part again, please?

Mr. SAYLOR. That the known Communists in Hawaii do not dominate the ILWU or any other union that operates in the Territory of Hawaii.

Mr. BECK. I think that would be a correct statement, sir, if you would put it this way: A known or identified Communist would be one that would have been exposed by a congressional investigating committee. The majority of the membership of the ILWU are not Communists.

As an example, I know very well the president of the sugar workers' union. I worked with him on a plantation in Hawaii from 1936 to about 1941. He has never been, to my knowledge, identified as a Communist. I know his father. I know his brother, who works on the management side of California Packing Corp. I know his sister. I haven't access to the confidential information that Government agencies do, but they have never identified him as a Communist. And he is a person elected by the membership.

Mr. SAYLOR. If the members who are known Communists do not dominate by number, in your opinion do the known Communists in Hawaii or the fellow travelers that might be associated with them, play such a dominant role that they might control the entire membership of their union?

Mr. BECK. I don't think so, sir.

Mr. ROGERS. Would the gentleman yield for just one inquiry?

What do you mean by "known Communists"? Could you define that term?

Mr. BECK. I used that term, and perhaps Mr. Saylor agrees with me, because he didn't correct me, that a known Communist would be one exposed and identified by a congressional investigating committee.

I do not have access to information beyond that.

Mr. ROGERS. Isn't it a practice, though, of the Communists in their infiltrating efforts and devices and schemes, to keep as many from being exposed as possible? And the fact is that their effectiveness rests primarily upon the secretness of their activities insofar as affiliation with the Communist Party is concerned?

Mr. BECK. Yes, that is true. In the Senate interior security hearings there in 1956, I think you will find testimony from the chairman of the Territorial Subversive Activities Committee that there are approximately 100 Communists, identified Communists, in Hawaii, out of a total population of over 600,000.

Mr. O'BRIEN. Will the gentleman yield?

I think we can bring that figure a little more up to date, indicating some progress. The information we received—and it was from the highest sources, the most informed sources—was that there were about 25 now.

Mr. ROGERS. Would the chairman yield for just one further observation?

Mr. SAYLOR. Yes.

Mr. ROGERS. Is it not a fact that if you number the number of people who are actually identified and known Communists, you could have found but very few in some cities and some countries that have already been taken over by Communist governments? The fact is that they are like termites; they are eating where you are not looking.

Mr. SAYLOR. That is true, Mr. Rogers, even in Texas.

Mr. BURNS. Mr. Beck, in connection with the trial of those familiarly referred to as the "Hawaii Seven," is it not a fact that a member of the executive committee of the Communist Party was the chief witness, a gentleman by the name of Jack Kawano, who had been active in the organization of the union?

Mr. BECK. Yes, sir.

Mr. BURNS. Is it not a fact that he offered his full services and cooperation to the FBI?

Mr. BECK. To the best of my information, that is correct.

Mr. BURNS. So as late as 1952 we had a person who was part of the executive committee in Hawaii give the full information he had at his command to the FBI and to our internal security forces, and he testified in a public trial?

Mr. BECK. And was so publicized in our local press.

Mr. O'BRIEN. Would the gentleman yield for a clarification or correction of the record?

We had some addition a moment ago and we came up with 32,000 members of the ILWU. In the first place, our figures are different. We got about 23,000. But I will not dispute that. Then we went on from there and had a vote of 154,000, and we were to assume for the record that 32,000 or more of those votes were cast by ILWU members. Is it not true that some members of the ILWU cannot vote and that some others did not vote?

Mr. BECK. I am sure that both statements are correct, Mr. Chairman.

Mr. O'BRIEN. And is it not a fact that the ILWU is roughly 10 percent of the total labor force in Hawaii?

Mr. BECK. Yes, sir.

Mr. SAYLOR. Mr. Beck, I think you stated that there were two papers that the ILWU had, one which was published on the mainland, called the Dispatcher, and the other that was published in the islands, called the Reporter.

Mr. BECK. Yes, sir.

Mr. SAYLOR. Is it true that the Dispatcher, which is published on the mainland, is still circulated in Hawaii?

Mr. BECK. Yes, sir.

Mr. SAYLOR. And the Reporter has not been published for some period of time?

Mr. BECK. No, sir; it is still being published, sir. I think you are confusing it with the Honolulu Record, which suspended publication early last fall.

Mr. SAYLOR. That was another?

Mr. BECK. That was largely supported by the advertising given to them by the ILWU.

Mr. SAYLOR. Do you know who published the Record?

Mr. BECK. The editor's name was Koji Ariyoshi.

Mr. SAYLOR. And where was it printed?

Mr. BECK. In Honolulu. They had their own printing plant.

Mr. SAYLOR. That is all. Thank you, Mr. Beck.

Mr. O'BRIEN. Unless there is an objection the following statements and resolutions in support of statehood for Hawaii will be made a part of the record at this point: Letter of John C. Elliott of Los Angeles, Calif.; telegram of the Jamestown Junior Chamber of Commerce, Jamestown, N. Dak., and the resolutions of the Rugby (N. Dak.) Junior Chamber of Commerce; the Hakalau (T.H.) Parent Teachers' Association; the General Assembly of the States; the Western Governors' Conference; and the Association of Local and Territorial Airlines.

(The statements follow:)

LOS ANGELES, CALIF., *January 28, 1959.*

HON. DALIF S. SAUND,
House of Representatives,
Washington, D.C.

DEAR JUDGE: I can't imagine anything likely to be less necessary than that I should write you urging your strong support for Hawaiian statehood just now when the matter is in your particular committee. However, I know that Members of Congress do like to receive letters from their supporters on such matters and so I am writing this.

I feel very keenly about the issue, and I think that statehood for Hawaii is long overdue. I have spent quite a few years in the Pacific islands and can think of no single step that this country could take at this time that would have

a better effect on the peoples in that particular region. Hawaii, with its rich and varied mixture of racial, cultural, and religious elements, has a great deal to offer as an American State, and the quality of the Representatives and Senators Hawaii would be likely to send to Congress would, I think, meet with your entire approval. I am, though a citizen of California, a property owner and taxpayer in the Hawaiian Islands, and even though I imagine statehood will bring, in time, an increase in taxes there, I am more than willing to face this prospect in view of what I believe to be the larger benefits we will all receive as Americans when Hawaii becomes a full partner.

With best personal regards.

Sincerely yours,

JOHN C. ELLIOTT.

JAMESTOWN, N. DAK., *January 13, 1959.*

Hon. DON SHORT,
House Office Building, Washington, D.C.:

At the last regular meeting, the Jamestown Junior Chamber of Commerce voted in favor of accepting Hawaii for statehood and we urge your support in passage of the bill. Would you please channel this information to the committee now handling Hawaiian statehood.

JAMESTOWN JUNIOR CHAMBER OF COMMERCE,
BOB LEWIS, *President.*

RESOLUTION

Be it resolved by the Rugby Chapter of the Junior Chamber of Commerce, of Rugby, N. Dak., That the proposed admission of the Territory of Hawaii into the United States of America, has the full support and backing of the Rugby Chapter of the Junior of Commerce; and be it further

Resolved, That the 86th Congress of the United States be urged to give its favorable consideration to the admittance of Hawaii in the year 1959, and that the secretary of the Rugby Junior Chamber of Commerce be instructed to forward copies of this resolution to the Honorable William Langer and the Honorable Milton Young, Senators from North Dakota, and to the Honorable Quentin Burdick and to the Honorable Don Short, Representatives from North Dakota.

Dated at Rugby, N. Dak., this 20th day of January 1959.

WM. C. PATERSON, *President.*

Attest:

PHILLIP P. LYSNE, *Vice President.*

RESOLUTION

Whereas the Territory of Hawaii since its annexation as an integral part of the United States in 1898 has proved itself politically, socially, and economically qualified for admittance into the sisterhood of States; and

Whereas the desire of the people of the Territory of Hawaii to achieve immediate statehood has been, and still is, the fervent aspiration of every resident of said Territory; and

Whereas the national administration and the Democratic and Republican Parties of the United States of America have repeatedly asserted their beliefs that the Territory of Hawaii is qualified for statehood; and

Whereas this association and its 177 members feel that statehood could bring much joy to our members and childrens: Now, therefore, be it

Resolved by the Hakalau Parent Teachers' Association, That the 86th Congress of the United States of America be, and is hereby, respectfully requested to grant the Territory of Hawaii immediate statehood; and be it further

Resolved, That copies of this resolution be forwarded to the Delegate from Hawaii, the Secretary of the Interior, and the chairmen of the congressional House and Senate Committees, respectfully.

HAKALAU PARENT TEACHERS' ASSOCIATION,
WAICHI OUYE, *President*.

(Mrs.) JANET KURISU.

JACK Y. OUYE, *Legislative Committee
Chairman*.

Unanimously adopted this 19th day of November 1958, at Hakalau, T.H.

Mrs. JANET KURISU, *Secretary*.

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE STATES, 14TH BIENNIAL
MEETING, CHICAGO, ILL., DECEMBER 5, 1958

STATEHOOD FOR HAWAII

Whereas by tradition, precedent, and every reasonable test, Hawaii is qualified to be admitted as a State of the United States, and the people of Hawaii should no longer be denied the status to which they have steadfastly aspired: Now, therefore, be it

Resolved, That the 14th Biennial General Assembly of the States hereby pledges its wholehearted support of the aspirations of Hawaii and recommends the early passage of statehood legislation by the 86th Congress of the United States; and be it further

Resolved, That the Secretary of this Conference is directed to send copies of this resolution to the President of the United States and the following leaders of the 86th Congress: The President of the Senate, the Speaker of the House of Representatives, the chairman of the Senate Committee on Interior and Insular Affairs, and the chairman of the House Committee on Interior and Insular Affairs.

RESOLUTION, WESTERN GOVERNORS' CONFERENCE, HONOLULU, T.H., NOVEMBER
23-26, 1958

STATEHOOD FOR HAWAII

By tradition, precedent, and every reasonable test, Hawaii is qualified to be admitted as a State of the United States. The people of Hawaii should no longer be denied the status to which they have steadfastly aspired.

Therefore the Western Governors' Conference hereby reaffirms its support of the aspirations of Hawaii and recommends the early passage of statehood legislation by the 86th Congress of the United States.

The secretary of this conference is directed to send copies of this resolution to the President of the United States, and the following leaders of the 86th Congress: The President of the Senate, the Speaker of the House of Representatives, the chairman of the Senate Committee on Interior and Insular Affairs, and the chairman of the House Committee on Interior and Insular Affairs.

RESOLUTION ACTED UPON BY THE ASSOCIATION OF LOCAL AND TERRITORIAL AIRLINES
IN CONVENTION AT HONOLULU, THURSDAY, NOVEMBER 6, 1958

Whereas the Territory of Hawaii is vital to the defense of the United States; and

Whereas the Territory has contributed greatly to the economic and cultural life of the United States; and

Whereas the Territory of Hawaii has been an integral part of the United States for 60 years and has during this time admirably fulfilled the obligations and responsibilities of statehood but has been denied the rights and privileges of statehood; and

Whereas the President of the United States, the Departments of State, Defense, and Interior, and both the major political parties have endorsed statehood for Hawaii; and

Whereas the House of Representatives of the U.S. Congress passed Hawaii statehood bills in 1947, 1950, and 1953, and the Senate passed the combined Hawaii-Alaska Enabling Act in 1954: Now, therefore, be it

Resolved by the Association of Local and Territorial Airlines, assembled in Honolulu, T.H., this 6th day of November 1958, That it endorse, and it hereby endorses, immediate statehood for Hawaii; and be it finally

Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of the Interior, the Speaker of the House of Representatives, and the Vice President of the United States.

Mr. O'BRIEN. May I make this statement for the benefit of the members: We will resume at 2:30 this afternoon, at which time the Secretary of the Interior will be back on the stand.

We will start to hear the opposition tomorrow morning.

(Whereupon, at 11:50 a.m., the committee adjourned, to reconvene at 2:30 p.m. of the same day.)

AFTERNOON SESSION

Mr. O'BRIEN. The Committee on Interior and Insular Affairs will be in order for a continuation of the hearing on H.R. 50 and kindred bills relating to statehood for the Territory of Hawaii.

The Secretary of Interior, Mr. Seaton, is here, and I believe on yesterday we had almost completed the questioning. I believe at the moment the gentleman from Alaska, Mr. Rivers, was asking some questions.

It is nice to have you back again, Mr. Secretary.

STATEMENT OF HON. FRED A. SEATON, SECRETARY OF THE INTERIOR—Resumed

Secretary SEATON. Thank you, Mr. Chairman.

Mr. O'BRIEN. Mr. Rivers, you may proceed.

Mr. RIVERS. Mr. Chairman and Mr. Secretary, I was endeavoring to develop a point in regard to protecting the interests of the United States against subversive activities; and after having covered one other phase, I had reached that point. I believe I asked if it were not a fact that the Federal Government would still have the basic jurisdiction in Hawaii after it became a State as concerns subversive activities.

Secretary SEATON. Congressman Rivers, I believe that is correct, particularly in view of a rather recent Supreme Court decision.

Mr. RIVERS. Yes. And I again point up that granting statehood to Hawaii would in no sense decrease the power of the United States to protect itself against communism or other subversive activities.

Secretary SEATON. No, sir. It should enhance it.

Mr. RIVERS. You would agree with me on that?

Secretary SEATON. I would, sir.

Mr. RIVERS. Mr. Chairman, that is all.

Mr. O'BRIEN. Mr. Burdick?

Mr. BURDICK. No questions, Mr. Chairman.

Mr. O'BRIEN. Delegate Burns?

Mr. BURNS. Mr. Chairman, I would like to compliment the Secretary and thank him very much for his most excellent statement as well

as for his contribution to the solution of the overall problem of a couple of years ago. I have not had the opportunity to do that publicly.

The work of the Secretary of the Interior has materially contributed to the admission of Alaska and to Hawaii having an opportunity on its merits to be heard and considered by the Congress.

Mr. O'BRIEN. Did all members of the committee have an opportunity to ask any questions they desire to ask?

Mr. SISK I believe was not here.

Mr. SISK, do you have any questions?

Mr. SISK. Mr. Chairman, I have no questions. I would make this comment. I am very happy to have the opportunity of seeing the Secretary again. I wish him a happy New Year.

I understand he made an excellent statement before the committee yesterday in support of Hawaiian statehood, which I am very happy the committee had an opportunity to receive. That is all.

Mr. O'BRIEN. I believe all the members did question, but Mr. Rogers has one more question, I believe.

Mr. ROGERS. Mr. Secretary, outside of the right to vote, the voting privilege, would you mind documenting for the record those things that you think statehood would bring in the way of benefits to Hawaii, if it were granted?

Secretary SEATON. Outside of the right of suffrage?

Mr. ROGERS. Yes.

Secretary SEATON. Mr. Rogers, based on the experiences of the other Territories of the United States after they became States, with particular reference, let us say, to Arizona, New Mexico, and Alaska, the more recent ones, I would believe that the economy of the Territory of Hawaii would receive a considerable acceleration, because it is perfectly evident that that did occur in both Arizona and New Mexico, and we are now experiencing that same thing in Alaska.

The number of inquiries which have come into my own office concerning opportunities to move to Alaska, to engage in various activities, from agriculture all through the spectrum of industry, are still numbered in the hundreds per month. The other offices in the Department of the Interior are having the same experience, or more so, and I have been advised recently that the new Alaska State government is almost snowed under with those inquiries.

I think you would have a very considerable population increase, certainly up to the ability of Hawaii to absorb more people, because again in the case of Arizona-New Mexico, if I remember correctly, and I should like to check the record on this point, within the decade following admission their population increases were in the magnitude of two and a half to three times.

The contribution which Hawaii then could make back to the other 49 States would, of course, be accelerated in turn.

If I may return for a moment to the matter of the inquiries which we are receiving even now as to opportunities in Alaska or how you get there, whether you can homestead, whether you can invest, and that sort of thing, I am told, here, that we are still getting about 6,000 a month in the Department of the Interior, which is some measure, at least, of the intense interest people have in Alaska. And the fact that those inquiries are in a volume which so greatly exceeds the ones that

we got as a Territory indicates the psychology which affects people when the Territory does become a State.

Now, that, certainly, again, has been the case in the matter of the availability of risk capital. I suppose, to be candid, it might be rather difficult to detail exactly why risk capital shrinks, is it were, from an incorporated Territory of the United States, in comparison to the way it uses that same Territory when it once becomes a State. But the record is crystal clear on that point. A great deal more risk capital is made available.

Mr. ROGERS. On the economic item that you relate, is it not also a fact, Mr. Secretary, that the new State of Alaska is trying to prevent too many people from coming up there, because they will get too many people on the boat and might sink it economically?

Secretary SEATON. Well, Mr. Rogers, I was not aware of that, in the sense that Alaska was resisting attempts of people to move to Alaska who had any possible chance to be able to carry their part of the burdens of citizenship in Alaska. I must say I am not aware of any such attitude on the part of the new State.

Mr. ROGERS. You mean from a risk standpoint?

Secretary SEATON. No; I mean people coming up there who want to hold a job in the first instance. Whether they can, cannot be determined until they try; but I do not know of any attempt on the part of Alaska to keep anyone out of there, though they might welcome some more than others.

Mr. ROGERS. I thought it had been said that the people who wanted to go up to Alaska and do great things had better look into the situation very carefully before they did it; that all the good-paying jobs were filled.

Secretary SEATON. In that case, I certainly must agree with you. If anyone has the illusion that he can go to Alaska and his mere presence there will assure his financial success and happiness and prosperity, of course that is not true. I thought you were referring to the ordinary scheme of immigration.

Mr. ROGERS. The point Alaskans pointed out to me was that the situation of too many people coming in too short a time can cause damage to the economy just as quickly as it can help the economy.

Secretary SEATON. I could not argue that point with you.

Mr. ROGERS. Because you cannot absorb those people, sometimes, as fast as you need to.

That is the situation that the continent of Australia is faced with right now. And it is entirely possible, in my way of thinking, that the same thing can happen to the Hawaiian Islands if they try to increase the population too fast; because the economy just will not support so many people.

Secretary SEATON. I would not argue that point with you, Mr. Rogers. I think that would be perfectly true of Hawaii and Alaska and any other State if they tried to increase the population faster than the regular economic processes and social processes could absorb them.

What strikes me as being important is that here is Alaska, an incorporated Territory of the United States these many years. The mere granting of statehood greatly accelerated the interest of other Americans in moving to Alaska. And I said that to you in response to a question. You asked me what I thought would be the result of statehood.

Now, whether they all go in there and whether they all, or part of them, succeed or do not succeed when they get there, is, of course, an entirely different question.

Mr. ROGERS. Now, speaking of the economic situation, if we assume that you are correct in your evaluation and that the economy will be stepped up and helped, would that same fact not be true if this Territory became a Commonwealth, rather than a State?

Secretary SEATON. Well, I should not want to try to give you a specific answer to that question, Mr. Rogers, because I do not know. I would doubt it.

Mr. ROGERS. Do we not have proof of that, though, in Puerto Rico? And let me say this, Mr. Secretary, while we are on that. We just had lunch with the Governor, and he assured us that Puerto Rico is not seeking statehood.

Secretary SEATON. We have that for the record.

Mr. ROGERS. He says they are satisfied with Commonwealth status.

Mr. ASPINALL. He also said he was sure they were not seeking independence.

Mr. BURNS. Would the gentleman yield?

I would like to point out for one thing, as a matter of the cost to us in Hawaii, that our Hawaiian Electric Co. in selling bonds on the bond market of the United States finds that statistically their bonds are comparable to those of a double-A rated security, but because they are in a Territory, they were rated as an A. And then they have to pay premiums, so actually they are almost rated as a BAA, which runs our cost of doing business and runs our cost of living up quite a bit. And that would be changed under statehood.

Mr. ROGERS. Do you mean if statehood is granted, Hawaii will voluntarily relinquish the 25 percent differential in Federal salaries?

Mr. BURNS. We would not voluntarily, off the bat, relinquish it, no. When our cost of living goes down, I am sure it will go down. We do not get 25 percent; we only get 20. It is based on the difference in cost of living between Washington, D.C., and Hawaii.

Mr. ROGERS. Mr. Secretary, we have talked about economics. What other benefit will Hawaii get by statehood?

Secretary SEATON. Mr. Rogers, I think I have covered, at least in general, the main economic advantages. I should like to repeat, if I may, that I think certainly the biggest advantage to Hawaii and to ourselves in granting statehood would be the fact that we have then given to the Hawaiians the one final and the largest privilege of American citizenship, bearing in mind that Hawaiians for many, many years have been carrying all of the responsibilities of American citizenship. As new responsibilities have ensued through a process of evolution or congressional action, they have been applied to the Hawaiians. They have fought in all the wars, paid all the taxes. They have complied with all the laws of the United States. And the one great thing which has been denied them all this time has been the right of suffrage and self-determination.

And I mean specifically by that, they then would be in a position to elect or choose their own judiciary, which we Americans hold to be one of the main principles of citizenship. They would have their own Governor and their own legislature and their own State program, and they could be represented, as I said yesterday, in the House of

Representatives by a Representative with a vote. And the same thing would be true in the U.S. Senate. They would be represented by two Senators in accordance with the Constitution of the United States.

Mr. ROGERS. Is what you say, though, not true about the District of Columbia?

Secretary SEATON. To some extent, sir.

Mr. ROGERS. As a matter of fact, Hawaii has more rights than the District of Columbia, because the District of Columbia does not vote for its own local governing authorities.

Secretary SEATON. I did not intend to appear here as an advocate for a vote for the District of Columbia. But the record is clear: As a Member of Congress I voted for home rule for the District of Columbia.

Mr. ROGERS. But to sum this up, then, the two main benefits that in your opinion would flow from changing the status of Hawaii from Territorial to statehood status would be the right of suffrage and the possible economic benefit?

Secretary SEATON. Yes, sir; those would be the two main benefits. But the one to me, at least, so greatly outweighs the other in the true scale of human values that I should not like to have them considered as equal in importance.

Mr. ROGERS. Mr. Secretary, let me ask you this one further question. I have always heard that Hawaii was a beautiful, lovely place, as a matter of fact that it was a paradise, or just short of paradise in any event. And I was out there, and I think I would agree with you on all those sales points that have been made. And I wonder: What is your position on need for a 25- or 20-percent differential in Federal salaries in the islands if it is such a nice place to live?

Secretary SEATON. Well, Mr. Rogers, I think I should have to agree, I think, with you that Hawaii is nothing less than or short of a paradise so far as climatic conditions are concerned and the attitude of the people there and the way they make you feel at home and that sort of thing; but I think I should have to say in the same breath that the enjoyment of the climate and that sort of thing does not go very far toward paying the grocery bill. And the Congress of the United States, in its own wisdom over a period of many, many years, has seen fit to grant or allow to be granted to Federal employees who are located in different points far removed from Washington, D.C., let us say, certain extra allowances for living costs.

If we were to get into that question, I should like to ask the permission of you and the chairman to make a study of it and present it to the committee as a part of the record; but I do not quite, in my own mind, put the two together, sir.

Mr. ROGERS. As a matter of policy, though, Mr. Secretary, do you not think that if Hawaii enjoys these benefits that you have enumerated, they ought to give up the 20 percent differential in Federal salaries? If they are going to assume statehood and be on an equal basis?

Secretary SEATON. Mr. Rogers, I do not consider the increased cost of living allowance as a benefit necessarily to Hawaii. I think you have a human quotient in between. I consider the extra living allowances as having been granted in the wisdom of the Government to people, employees of the Government, if you please, who, in the judg-

ment of the Government need that extra money in order to pay the differential between the living costs in Hawaii or Alaska or wherever it happens to be and the District of Columbia.

Mr. ROGERS. There is no differential in the States.

Secretary SEATON. Well, that is true, sir. But there is a differential, so far as I know, in all or most all, if not all, of the Territories and possessions of the United States. And I think originally one of the reasons was the extra inducement to get people to uproot themselves from their friends and families, churches, schools, and so on, and move out there.

The question of whether it is justified or not, sir, I am not prepared to debate. I did not originate it to begin with.

Mr. ROGERS. Yes; I understand. But I was just wondering if it was understood that if these benefits were going to be gained by statehood, then whatever benefits were being enjoyed because of Territorial status ought to be leveled off and weighed out.

The reason that so many of these differentials in salaries have occurred is because of the Territorial status of these places. And I can appreciate the need for it in many instances. But when a Territory assumes statehood, it seems to me that they ought to be on an equal basis, because the cost of living in California is a great deal higher than it is in many places that I know of in the South and in the Southwest, as far as that is concerned. And I am sure the same thing is true as to many parts of the country, insofar as towns and cities are concerned.

Mr. O'BRIEN. Would the gentleman yield?

I might say that the Members of Congress who visited Hawaii have rather cheerfully accepted the higher per diem allowance granted us. At least I did. I only speak for myself.

Mr. ROGERS. I did not know they granted that to Congress.

Mr. O'BRIEN. Oh, yes.

Mr. BURNS. If the gentleman will yield, that applies every place outside of the continent.

Mr. ROGERS. Outside of the continent? Would you mean you are going to let the continent divide us on something like this?

Mr. BURNS. You have done it, sir. I have not.

Mr. ROGERS. That is all, Mr. Secretary. Thank you very much.

Mr. O'BRIEN. Mr. Secretary, there were some questions addressed to you yesterday, and I wondered if it were time you cared to answer some of them, or to amplify in any way your original statement to meet the questions that were raised.

I feel just a little bit embarrassed, knowing how busy you are, in bringing you back to this second visit; but the gentleman from Florida indicated he had some questions he wanted to ask, and unfortunately, he was not able to be here this afternoon. I leave it entirely to you, Mr. Secretary. If you want to stand on what you have said so far, or if you have some additional information you would like to submit to the committee, it would be appreciated.

Secretary SEATON. Well, Mr. Chairman, I appreciate that invitation, and I think, particularly out of respect to the gentleman from Florida who asked these questions, I should like to amplify my answers at this time, if I may, for the record. And we will furnish any other additional information, of course, which you or any other member of the committee wants.

Now, as I recall them, those questions dealt mainly with the question of the status of Puerto Rico. And as the chairman has informed me today, that is no longer a debatable question.

Mr. O'BRIEN. May I interrupt at that point?

I wish that was true.

Secretary SEATON. You mean as to statehood for Puerto Rico?

Mr. O'BRIEN. Yes. I think we will hear more of it from the Rules Committee and on the floor.

I might say in that connection that between 65 and 70 bills have been introduced in the Halls of Congress for statehood for Hawaii. I know of not one introduced for statehood for any other non-State area under the flag.

Mr. ROGERS. Would the gentleman yield?

The picture about the great benefits of statehood has been painted so beautifully here I thought we might want to force it on Puerto Rico.

Mr. O'BRIEN. I think we would be very satisfied if we gave statehood to the last incorporated Territory under the American flag.

Mr. Secretary?

Secretary SEATON. Well, Mr. Chairman, I think another question was asked in the context of the economy of Hawaii as to the total amount of the Armed Forces expenditures there and the Federal Government contribution in the way of costs of various projects.

I think we established yesterday for the record that the latest figure we had from the Department of Defense was that the Armed Forces expenditures in Hawaii in fiscal 1958 were in the magnitude of \$308 million, and that the gross national product of the Territory for that same fiscal year was about \$2 billion.

A further question was asked, as I remember it, either by Mr. Haley or Mr. Rogers, as to what I thought would happen if the Armed Forces were to pull out of Hawaii.

In the first place, as I am sure the two gentlemen would agree, that is not likely, to put it mildly, to happen in the foreseeable future; but if it did at some time in the future, I think we would have to admit, to be frank, that the economy of Hawaii would suffer a dent, whenever that should take place.

In that same connection, though, while it is perfectly true that the dollars expended by the Armed Forces multiply themselves in effect as they go through the various facets of the economy of Hawaii, it is also true that a considerable portion of those expenditures are expended here rather than there for the purchase of materials and that sort of thing, architectural services, contractors' services, and what have you; so that it would be a fact that 100 percent of that expenditure of some \$308 million would not funnel itself directly into the local economy.

I do not think I need to proceed further on the point, which I tried to establish yesterday, because it is a fact that the military expended those funds in Hawaii in fiscal 1958, prior to that time, and of course, will in the future, primarily as an investment in the security of all of the 49 States. So it was actually only in a secondary sense that those expenditures involved a contribution to the Hawaiian economy, although I, of course, do not deny the beneficial effect they had on the economy.

Thank you very much for letting me finish the sentence.

Mr. ROGERS. On the point you made, Mr. Secretary, about the expenditures being made in this country: The results of those expenditures, of course, go to Hawaii and are beneficial to the economy, are they not? I mean even though the money may be spent in this country, what that money produces in the way of results will find its way to Hawaii?

Secretary SEATON. Not necessarily. Some does, money expended in Hawaii by military personnel, and so on.

But I was thinking in terms like these. There is not now a steel manufacturing industry in Hawaii. Portland cement, all kinds of construction materials, are purchased here and shipped to Hawaii. There is no civilian shipyard in Hawaii. Those ships are built in this country or elsewhere. All that sort of thing. The pay to the people involved in carrying all the materials over there originates here, in the main is spent here.

Mr. ROGERS. Is that not also true in regard, we will say, to the foreign aid program? It is my understanding that only \$1 out of every \$4 finds its way to the foreign country; that three-fourths of that money is spent in this country.

Secretary SEATON. I cannot speak specifically to that, Mr. Rogers, and I would not question your figures.

Mr. ROGERS. The Foreign Affairs Committee is where I got my information about that. But the point is simply this, that it not only helps their economy, but it helps ours.

Secretary SEATON. I think generally that is perfectly true.

Mr. ROGERS. But it would not detract from the actual aid it is to the Hawaiian economy, any more than it would detract from the aid given to Spain or anywhere else.

Mr. CHENOWETH. I did not get the figures on the ratio of the expenditures to the total economy.

Secretary SEATON. In 1958 it was reported to us by the Department of Defense, Mr. Chenoweth, that the Armed Forces expenditures in the Territory of Hawaii amounted to \$308 million. I pointed out that, of course, not all the \$308 million actually was expended in Hawaii, just to clarify the record. I contrasted that with the fact that the gross product for the Territory of Hawaii, the figure that would compare to our gross national product, let us say, for the United States, the 48 or 49 States—that that gross product for the same fiscal year was \$2 billion.

Mr. O'BRIEN. Mr. Secretary, is it not fair to assume, as long as the so-called cold war continues, that there will be a substantial defense installation in Hawaii?

Secretary SEATON. Yes, Mr. Chairman. I think that I would answer with an affirmative to that, particularly bearing in mind that there was a very substantial Defense Establishment in Hawaii before the cold war or even before the most recent of the hot wars.

Mr. O'BRIEN. And to follow that up, if the cold war ended, while it would hurt the Hawaiian economy to some extent, it also would hurt the economy of many parts of the United States. I was thinking of my own area, where the General Electric Co. has hundreds of millions of dollars in defense orders which are translated almost immediately into jobs for people of my area. We would be hurt pretty badly if the spending for defense was reduced drastically.

So the problem that is raised here in connection with Hawaii is a problem that is general to the whole country. In fact, we would be more apt to maintain a large defense installation in Hawaii even with the end of the cold war than we would be in other parts of the country.

Mr. CHENOWETH. Would the gentleman yield?

As I get it, then, the military contribution to the economy of Hawaii is only about 12 or 15 percent or something like that?

Secretary SEATON. I have not computed those mathematics in my mind. It is \$307 million to \$2 billion.

Mr. CHENOWETH. \$300 million to \$2 billion? Do you remember how that ratio compared to the ratio in Alaska? Isn't the participation much smaller in Hawaii than it is in Alaska?

Secretary SEATON. Mr. Chenoweth, I am not at the moment prepared to give you that, but it is simply a guess, and if it turns out to be wrong—and I may very easily be wrong—I would like to correct the record. I would guess that Alaska in recent years has received a greater total, certainly percentage-wise, of its gross product, than has Hawaii. That would be, of course, for reasons beyond the control of anybody. Those are just reasons of necessity because of certain situations.

Mr. CHENOWETH. In other words, the military in economy is not as important to the economy of Hawaii as the military is to the economy of Alaska. That is the impression I have.

Secretary SEATON. That I think is a very fair statement. And, of course, if we take what Mr. Rogers said a few minutes ago, when he made a comparison between our mutual aid programs abroad, as to the dollars that generated here as against the dollars that went over there, if we took that same ratio, then, in the further discussion of this \$307 million total defense expenditure in Hawaii, we would arrive at a figure of about \$75 million, which was actually expended in Hawaii out of the total of \$307 million, on your ratio of 1 to 4.

Mr. CHENOWETH. Only \$75 million in cash is actually spent there?

Mr. SEATON. That would be a generalized ratio.

Mr. CHENOWETH. The percentage, then, would be very considerably smaller, would it not?

Secretary SEATON. Well, yes, that is true, because the gross product of Hawaii so greatly exceeds the gross product of Alaska as of today.

Now, Mr. Chairman, another question that was asked yesterday was the amount of total Federal grants in contributions to the Territory of Hawaii. The latest figures we have for that, again, apply to the fiscal year 1958, and in that fiscal year the total of about \$22 million, a little short of that, was involved for Hawaii. In that same fiscal year, as we pointed out yesterday, the total Federal taxes paid by the residents of Hawaii was \$166 million.

It is rather interesting, if I may take a moment to make a few comparisons, that the total grants in contributions of Hawaii in that \$21,900,000 amounted to about \$28.67 per capita for the population of Hawaii.

You compare that with the per capitas for some of the States of the Union, and you find these results: Wyoming, \$89.44; New Mexico,

\$69.38; Nevada, \$68.34; Alaska, Mr. Rivers, \$64.66; Montana, \$53.80; Oklahoma, \$47.28; Louisiana, \$39.89; and Oregon, \$39.48.

To define what we mean by these Federal grants in contributions, we are talking here, sir, about old-age and survivors insurance, agricultural grants, educational aids, school lunch program, highways, airports, National Guard, hospital construction, public health, school construction, aid to dependent children, old age assistance, veterans assistance, and so forth, in the same general category.

Mr. O'BRIEN. Did you get to New York, Mr. Secretary?

Secretary SEATON. Mr. Chairman, we do not have the figures for New York, nor do we have them for Texas, Mr. Rogers. And I might add I have not listed them for Nebraska.

Mr. ROGERS. Do you have those separated, Mr. Secretary?

Secretary SEATON. As to how much for each one of the categories? No. We would be very glad to provide that.

Mr. ROGERS. I wonder if we could get that and insert it in the record. I think it would be of very great interest and importance.

Secretary SEATON. I would be very glad to. Do you want them for all categories and all States?

Mr. ROGERS. Yes, sir.

(The information follows:)

Per capita Federal grants to States and Territories, fiscal 1957¹

OVER \$30

Wyoming-----	\$89.44
New Mexico-----	69.38
Nevada-----	68.34
Alaska-----	64.66
Montana-----	53.80
Oklahoma-----	47.28
Louisiana-----	39.89
Oregon-----	39.48
Colorado-----	39.44
South Dakota-----	38.84
Idaho-----	37.37
North Dakota-----	36.73
Alabama-----	34.85
Missouri-----	33.42
Arkansas-----	33.35
Arizona-----	33.13
Utah-----	32.04
Mississippi-----	31.54
Vermont-----	30.17

\$20 TO \$30

Washington-----	29.23
California-----	29.13
Texas-----	28.87
Kansas-----	28.67
Hawaii-----	28.67
Georgia-----	27.37
Puerto Rico-----	26.95
Kentucky-----	25.70

Rhode Island-----	\$25.52
Nebraska-----	25.17
Tennessee-----	24.97
Maine-----	24.94
West Virginia-----	24.78
Minnesota-----	23.52
Florida-----	23.13
Delaware-----	22.76
Iowa-----	22.61
North Carolina-----	22.30
South Carolina-----	21.28

UNDER \$20

Massachusetts-----	19.98
Virginia-----	18.96
New Hampshire-----	18.82
New York-----	18.28
Maryland-----	18.26
Michigan-----	17.56
Ohio-----	16.79
Wisconsin-----	16.77
Illinois-----	15.91
Pennsylvania-----	15.59
Connecticut-----	14.70
Indiana-----	13.39
New Jersey-----	11.08
48-State average-----	23.59
48-State median-----	25.61

¹ Includes only direct payments to States and Territories under cooperative arrangements.

Source: Annual Report of the U.S. Secretary of the Treasury; Compendium of State Government Finances in 1957, U.S. Department of Commerce; Territorial Health Department.

Mr. O'BRIEN. Perhaps if I might make a suggestion, the States that you have enumerated give the picture.

Mr. ANDERSON. I wonder why the Secretary did not select New York?

Secretary SEATON. May I relieve the mind of Mr. Anderson? The ones we cited were all in excess of Hawaii on the per capita grant. That is why we named those.

Mr. ANDERSON. You have listed all of those?

Secretary SEATON. All of those to our knowledge which are in excess. We will recheck those. If we have left out any, we will be glad to add them.

Another question was asked me, and I will deal with it briefly. It was whether any States of the Union have had State legislature un-American activities committees or special State activities charged with responsibility for gathering for the legislature information concerning un-American activities. You will remember, I am sure, we made reference to the very fine progress which has been made in that direction by the Territory and the people of Hawaii. And we find on research that the following States have had at one time or another similar organizations. Those States include California, Washington, Ohio, Maryland, Massachusetts, New Hampshire, South Carolina, Pennsylvania, and, sir, Texas, through a special division of the Texas rangers.

Mr. O'BRIEN. I would not think, Mr. Secretary, that that committee would have very much to do in Texas.

Secretary SEATON. I would agree with the chairman. I would not think so.

Mr. ROGERS. They did not. They merged that with a crimes commission. They had a lot to do with that. So they just worked it all together.

Mr. BURNS. I would like to point out, Mr. Secretary, for the record, at this point, that in 1941 on January 1, there was set up in Hawaii in the Honolulu Police Department an espionage department of a lieutenant and four men to do your internal security investigations at that time, in preparation for the approaching conflict involving all our various nations, too. Hawaii has been participating for a long time in the field and participating most actively.

Mr. ROGERS. Let me say this one thing. Back in 1947, I believe, we had in Texas a Communist secretary of the Communist Party in Texas who lived down at Houston. And she came before the legislature and asked to be allowed to testify before a committee in the State legislature. There was a hot time in the old town that night. [Laughter.]

So we have everything in Texas.

Secretary SEATON. Mr. Chairman, there was a further question on the discussion of California, which is the 31st State to enter the Union, and, in fact, was not then contiguous to the land mass of the other States. And that was true of the case of California. It was also true of the case of Louisiana at the time it joined the Union. California was in 1850, Louisiana in 1812.

There was roughly a thousand miles between California and the States which were then farthest west in the family of States. There was no railroad, because the first railroad was not completed coast to coast until 1869.

In fact, I was a little surprised, I must confess, to discover that the first railroad bridge across the Mississippi was not constructed until 1856, 6 years after California entered the Union.

There were more than 50 peace treaties which were negotiated between the Federal Government of the United States and various Indian tribes in the area of years between 1853 and 1856, which, of course, followed the admission of California.

Some of our most readable history, anyhow, if not the most important, in a military way, was written about the battles with the Indian tribes in that area between the other States of the Union and California, and that continued up until the late 1880's.

During the period we are discussing, which is a period roughly from 1850 to 1860, a decade after the admission of California, the only major route for commerce between the Eastern States and California was, of course, by sea.

Bearing in mind the fact that the Panama Canal was not open until 1914, it is perfectly obvious that the only route was around Cape Horn.

That meant simply that a distance of more than 13,000 nautical miles was involved in travel from Washington, D.C., to San Francisco, and the trip took from 90 to 100 days, if indeed the trip was finally consummated.

It was not until 1898, as a matter of record of history, that the United States became a recognized naval power. And that was after the Spanish-American War.

At the time that California was admitted, we had less than 50 naval vessels in our entire fleet. And, of course, today we are dealing, as the committee all knows, with a Navy of over a thousand ships and almost three-quarters of a million men.

We made reference yesterday to the travel time between Washington or New York and Honolulu, and I think we can sum that up by saying it is a fact that not only can military personnel but also commercial travelers today have breakfast in New York and be in Honolulu in ample time for dinner, which is one of the reasons that I said in my prepared statement yesterday that the question of travel to Hawaii was no longer a point of any great consideration.

Mr. ROGERS. May I make an observation about that, since I did raise the question?

When was Louisiana granted statehood, Mr. Secretary?

Secretary SEATON. 1812, Mr. Rogers.

Mr. ROGERS. I was thinking that was before Texas. But the point I was making is not the travel distance; because insofar as travel is concerned, you pointed out that you could have breakfast in New York and lunch in Honolulu. Well, it has been determined that at the speed we are going now, you could have breakfast in New York and breakfast in Honolulu.

Secretary SEATON. That is entirely within the realm of possibility.

Mr. ROGERS. And it will undoubtedly come in our lifetime.

But my point had to do with the political aspects of it insofar as the division of sovereignty is concerned, and the jurisdiction over the Territory. And I think in all of the cases that you pointed out, the United States did have jurisdiction, and inclusive jurisdiction.

We had war situations with the Indians, it is true; but we did have exclusive jurisdiction over that land mass. And any foreign power

that would have invaded that land mass between California and the United States or the land mass between Louisiana and the United States as States would have violated our sovereignty.

Secretary SEATON. Yes. I agreed with you yesterday on that, Mr. Rogers, and I agree again.

I will say, as I said yesterday, that while we had exclusive jurisdiction all right, the question of being able to enforce the jurisdiction was at times highly debatable.

As a matter of fact, even in wartime, if you compare the casualties in the transfer of personnel from the continental United States to Hawaii and back, comparing that to what happened in the period when we were transferring personnel by land or by sea from the other States to California, you will find that the casualties even in wartime were much lower in percentage to thousands of people transferred than in the other case.

Mr. ROGERS. There is no question about the travel time.

Secretary SEATON. Safety, we were discussing yesterday.

Mr. ROGERS. I was at a dinner the other night, and the toastmaster introduced a man from Louisiana, and he made some very derogatory remarks about Texas, and said that if the Alamo had a back door, there wouldn't have been any Texas. And the toastmaster got the floor and he said, well, the fellow was mistaken; the Alamo did have a back door. That is where Louisiana got its start. [Laughter.]

Secretary SEATON. Well, if the gentleman please, I would rather stay out of that colloquy.

As a matter of passing historical interest, it is a fact that Louisiana was the first State admitted to the Union from any territory outside the original area of the 13 States.

The other question which I was asked, if I may turn to that, was the question of references in the party platforms as to statehood for Puerto Rico. And I am assuming from what I have heard that it would not be necessary to go into that, although I would be very glad to do it if the chairman or a member of the committee wished.

Mr. O'BRIEN. I do not think it would be necessary. I think it is pretty much an academic question.

Secretary SEATON. I think, Mr. Chairman, that that covers the additional information which occurs to my mind at the moment, in relationship to questions which were posed yesterday.

Mr. O'BRIEN. I would say, Mr. Secretary, that we appreciate your gathering that information. And I know that with short notice it was something of a monumental task. I believe it will round out our record very well and leave very few, if any, dangling questions. We are very grateful to you.

Mr. ANDERSON. Mr. Chairman, might I ask two or three questions of the Secretary?

Mr. O'BRIEN. Surely.

Mr. ANDERSON. There seems to be a general feeling that Hawaiian statehood has an excellent chance of passage in the current calendar year. Would you agree with that?

Secretary SEATON. Yes, sir, on the basis of what I think I know of the temper of the Congress, I would. I certainly hope it is so, sir.

Mr. ANDERSON. Does the fact that Alaska was admitted last year have any bearing on this optimism?

Secretary SEATON. Yes, sir, in the sense that I would agree with the President when he said that if statehood were denied to Hawaii now, particularly since Alaska has been admitted to the Union, it would border on the unconscionable.

Mr. ANDERSON. And also in your statement yesterday you indicated that the admission of Alaska had disposed of a number of questions that would otherwise be raised against the entrance of Hawaii.

Secretary SEATON. That was my opinion, particularly as to the non-contiguity question.

Mr. ANDERSON. In view of this fact, and after many years in which joint Alaskan-Hawaiian statehood bills, or even joint efforts to pass the two went down to defeat, do you think it was perhaps good strategy last year to keep them completely separate and make sure that the Alaskan bill was passed and that Alaska was to be admitted as a State first?

Secretary SEATON. Well, I never criticize success after it has occurred, but I will say this, that no one in the administration, certainly not the President or I, made any effort whatever to couple the bills. We did make what we thought were proper efforts to undertake the admission of Hawaii immediately after the admission of Alaska. We had precedents for that, at least, in the sense that several times before when one question was discussed for statehood for Alaska or Hawaii, statehood for one or the other was immediately considered. And we were very bitterly disappointed that that turned out to be impossible.

Now, I do not want to criticize anyone's motives. I do not have that intention at all. But I will say that had Hawaii been admitted into the Union last year, I would have been even happier than I am going to be if it is admitted this year; because to me, and I have always said this, it is a moral question. And I think that the sooner a moral question is settled, the better off we all are, not only the people who were residents of the Territory but all the rest of Americans who do enjoy the full blessings of citizenship.

Mr. ANDERSON. I think that you will recall that in the previous session the Alaskan bill and the Hawaiian bill were kept separate for a considerable period of time near the closing days when in the other body, I believe, they were hooked together.

Secretary SEATON. Yes, they were, by a distinguished Member of the other House who bears the same name as you do and belongs to the same political party. And I am sure he thought he was doing the right thing when he did it.

Mr. ANDERSON. I think you will agree that that pointed up the necessity to keep them far apart.

Secretary SEATON. There was never any quarrel about keeping them apart, Mr. Anderson. The difference of opinion came when many Members of the Senate wanted to press for admission of Hawaii to statehood immediately following the admission of Alaska.

Mr. ANDERSON. Do you think that would have been possible in the time that remained after Alaskan statehood was granted?

Secretary SEATON. If you are asking my personal opinion, now, yes, sir, I do.

Mr. O'BRIEN. Would the gentleman yield?

I have been listening to this colloquy with a considerable amount of interest, because I was involved to some extent in the strategy which

was finally used. I would like to say first that when the strategy was decided upon, the Secretary of the Interior was most cooperative in keeping the bills separate and in urging upon members of his own party to vote for Alaska without waiting for Hawaii, because that was the only way Alaska could get through at that time. Where the difference arose was after the Alaska bill went through. I know that a great many people felt that the climate had been created and that with a whoop and a holler we could have put Hawaii through.

I know that a great many people, a number of people, came over from Hawaii and urged that.

I just want to say that whatever responsibility I had in opposing that, and I did oppose it, was based strictly upon an honest belief that there was a strong possibility that the Hawaii bill would fail somewhere along the line in the closing hours of the session, and that when we returned to it in January of this year we would still be wearing a black eye, if you will, a psychological black eye, of a recent rejection by the Congress. But I must add that in this whole matter there was a sincere difference of opinion.

And I think that whoever was right, whoever was wrong, the fact that we created, established a 49th State, a 49th star, means only one thing to Hawaii; it means that Hawaii will be the 50th star instead of the 49th. And I have always liked round numbers, myself. I also believe that it will be the last State admitted to the Union. Of course, I am attempting to speak for history, now.

Secretary SEATON. Mr. Chairman, I would like to express my thanks to you, sir, for what you said about my conduct in the matter of Alaska-Hawaiian statehood, and I certainly would join you, sir, in saying that the difference of opinion was a sincere one among sincere people. There is no question about that.

Mr. Anderson asked me whether I thought in my own opinion it could have gotten through. You have said, and I have agreed, that is debatable. Of course, no one will ever know. But I do remember that the House debated the Alaska bill for less than a week, and it went through. The total time elapsed from the time Alaska was brought before the House until the date of passage was 5 weeks. And it was on that and on some other circumstances that I based my crystal ball gazing that it could have gotten through.

But, Mr. Chairman, I am a whole lot more interested, if you please, in adding Hawaii now as the 50th State than I am in debating even on the friendliest of terms the question of what might have been, because what might have been is no longer within the ken of mortal man; and I would hope we could get this job done in this session of the Congress.

Mr. O'BRIEN. May I agree that that is the major problem. And I have an idea that when—I will not say “if”—when Hawaii becomes a State, I hope this year, the celebration in Hawaii will be just as great as though it was the 49th State rather than the 50th.

Mr. ANDERSON. May I point out to the Secretary that he is counting from the time that the Alaskan bill went to the floor. Are you not overlooking the little matter of the Rules Committee. Do you not think that since the bill happened to be in this committee and would have had to go from here before the Rules Committee, in making an estimate of the possible time that the Hawaiian bill could have gone through, you ought to take into account the length of time that the Alaskan bill lay in the Rules Committee?

Secretary SEATON. Well, taking that into account, sir, I would still repeat that I believe it could have gotten through. But, Mr. Anderson, I must say, with the permission of the chairman, that as he very well knows, I was thoroughly aware of the strategy and means which members of this committee undertook to take the bill directly to the floor, and I think the chairman would agree that I was as helpful with him as I could be, to the point, I must say, where there were some people with rather unhappy feelings, who were not in support of the proposition.

Mr. ANDERSON. May I yield to the gentleman from Hawaii?

Mr. BURNS. I wanted to point out, if you please, Mr. Chairman, that the answer to the question, the answer to everything that we have done, the answer to the Secretary's contribution in the, shall we say, Seaton line in Alaska, is the acceptance into statehood of Hawaii at the earliest possible moment. And that is the solution to the whole problem, all the way. I think it answers all the questions.

Mr. ANDERSON. Thank you, Mr. Secretary.

I thank you, too, Mr. Chairman, for your contribution to our colloquy.

Mr. WILSON. Mr. Chairman, some question has been raised here about the permanence of the military income in Hawaii. I would say that it is as permanent as any military income of any part of the United States. It certainly is one of our most important forward bases, and as long as we need a Defense Establishment of any kind, we are going to need forces in Hawaii, and income will result from it. And no one is more conscious of it than those of us in California who sweated out the first days of Pearl Harbor, when the attack came first in Hawaii, and we thought the next would be the Californian shore.

I think we would sort of welcome the idea of having Hawaii as the new front of any possible war of the future.

I would also like to say that we in southern California are in competition, very definite competition, with Hawaii, as far as tourism is concerned, with our waving palm trees and Bougainvillea, and so forth, that we have, but we welcome that competition, and we would rather have it as a State than as a Territory, I assure you.

Mr. BURNS. We like the tourists from your area, I might say to the gentleman.

Mr. WILSON. There is a very genuine feeling toward Hawaii. I know we would welcome statehood.

Mr. O'BRIEN. Someone asked what would happen if they reduced the military facilities in Hawaii. I think what would first happen would be a tremendous holler from California.

Any further questions?

Mr. Secretary, again I want to thank you, not only for your original statement, but for your clarification of some of the matters which were raised. You have contributed magnificently to our record.

Secretary SEATON. Thank you, Mr. Chairman.

Mr. O'BRIEN. We are going to hear the opposition, if any, tomorrow. Is there anyone in the room who desires at this time to speak in support of statehood for Hawaii?

I might say I forgot to thank Mr. Beck for his contribution this morning. I think he had no idea that he was going to be in that chair as long as he was, but Mr. Beck performed very well.

Are there any other persons?

I realize that we have a number here who favor statehood for Hawaii, but they have contributed or will contribute statements. If anyone desires to be heard, we are very happy to hear from them.

We have a little time here. On the other hand, it is my impression that the proponents have established a rather complete record here. When we combine the oral testimony with the statements which have been included for the record, that is certainly true.

So if no one cares to be heard at this time, the hearing will be adjourned until 9:45 tomorrow, when we will hear the opponents.

(Whereupon, at 3:38 p.m., the committee adjourned, to reconvene at 9:45 a.m., Wednesday, January 28, 1959.)

STATEHOOD FOR HAWAII

WEDNESDAY, JANUARY 28, 1959

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met, pursuant to recess, at 9:30 a.m., in the committee room, New House Office Building, Hon. Leo W. O'Brien (acting chairman of the committee) presiding.

Mr. O'BRIEN. The Committee on Interior and Insular Affairs will be in order.

We will get the hearing started without waiting for more members because we have distinguished Members of the House here who are very busy men and who would like to get away.

Our first witness this morning is Hon. Francis Walter, chairman of the House Committee on Un-American Activities.

Mr. Walter, it is a great pleasure to have you with us this morning.

STATEMENT OF HON. FRANCIS E. WALTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. WALTER. Mr. Chairman, I appreciate this opportunity to testify briefly on behalf of the measure under consideration.

I am going to direct my remarks solely to the so-called Communist menace because, as I understand it, every other phase of this entire question has been considered very carefully.

Several years ago the Committee on Un-American Activities conducted hearings in Hawaii. We filed a report which, of course, speaks for itself.

From what I understand, not only from conversations with people that I have confidence in, but from a more recent visit to Hawaii, I find that conditions are not as bad—if it is possible to treat a matter of this sort by degree—as they were at the time of the hearings.

I am convinced that, had the circuit court of appeals acted more promptly in considering the appeal of the convicted Communists, perhaps the situation would be much better today than it actually is. However, that is beside the point.

I cannot help but feel that the domination of labor unions by Communists could not continue if there were reposed in the good people of that community the degree of responsibility that comes from statehood. Suffice to say that the situation is not dealt with adequately today.

You perhaps know the situation of the labor unions in Hawaii—completely dominated by a hard-boiled Communist group. There is no question about that. And it just seems almost nauseating to me to

find that when negotiations were conducted over a labor contract several years ago the man sitting on the side of labor was a man under conviction, who had been sentenced to a term of imprisonment and on whom a large fine had been imposed because he was part of the conspiracy to overthrow the Government of the United States through force and violence.

Now, the people in Hawaii are responsible people. The leaders in that community are unusually high type persons. They are a proud people and they do not like this situation. Given the kind of machinery that will come to them in the event that this legislation is enacted into law, I predict that within a very short time the grip on the entire economy of the island, which is now in the hands of Communists, will be broken. Otherwise I despair of anything better happening, of there ever being any improvement whatsoever.

It seems to me, in view of what happened at the last session—I am not going to presume to tell you what you ought to do. But it would be very difficult to explain why we would fail to treat this group of people differently from the people of Alaska.

I hope that the reasons that I have stated will add to the reasons for the enactment of this legislation.

People are prone to minimize the menace of communism. Only yesterday we found one of our colleagues attempting to minimize the work of a committee of the House. I am not speaking in defense of the Committee on Un-American Activities. As you know, I did not seek the position as its chairman. As a matter of fact, I was one of 42 men who stood up and were counted on the question of whether or not there should be such a committee, and I am now in the very anomalous position of being a chairman of a committee whose erection I opposed.

Nonetheless, I feel that this menace has to be dealt with adequately, promptly, or else it is going to increase to the point where it cannot be dealt with.

So that I feel, with respect to Hawaii, that here we have a very critical area, completely dominated by Mr. Bridges' union, sitting right on our lifeline. And we ought to take these steps in the name of the security of the United States to give this people the opportunity for self-government that they seek.

Mr. O'BRIEN. Thank you very much, Mr. Walter.

I might say that certainly no one would ever accuse you of being soft toward communism.

I would also say that your views coincide rather squarely with the views of three of us who went to Hawaii last fall. I assume it was suspected because we favored statehood that we would find there was no communism in Hawaii. We found there was. We were very much concerned about it.

We also found what you stated this morning, that the people there are tremendously aware of it, tremendously concerned about it, and want to do everything they can to eradicate it.

I might say that I think your statement that the security of the United States would be enhanced, increased, if we gave them statehood, is one of the most significant statements that has been made in this record to date. I am very grateful to you.

Mr. Aspinall.

MR. ASPINALL. Mr. Chairman, I have no questions to propound of our colleague. I am glad that he has taken of his time to come over here and give to us some of his knowledge.

Of course, I would make this observation: That there are Communists, in my opinion, in every State of the Union. Some of them are idealist Communists, who perhaps are not dangerous to our national security. Some of them, however, are dangerous to our national welfare.

I doubt very much if Hawaii today is in too much different a position as far as Communists than our States, but they are in a little bit different position as far as the security of the Nation is concerned because of the place where they operate.

MR. WALTER. Of course, the thing that seems so tragic to me is, after the revelations of the Committee on Un-American Activities that came in connection with our endeavor to draft legislation, that those people, who not only are Communists but were convicted and are under sentence, should be still running the labor unions. And the labor unions, being tied together the way they are, they control completely the economy of those islands.

MR. ASPINALL. Of course, Mr. Walter, communism is not only in labor unions. Out in my State and in the State to the south of me I think we could find Communists who are in a different position than in labor unions. Their activities, perhaps, are a little bit more known to the federal and local authorities than they would be if they were in labor unions.

MR. WALTER. Yes; we found some in the university in your State.

MR. ASPINALL. Yes, of course. That is exactly right.

I am very glad you saw fit to come over here and state that in your opinion, if we would give to the people of this area the responsibility of statehood, they would be in better position to combat whatever influence there is over there at the present time than they will be if they continue under their present status.

MR. O'BRIEN. Are there any other questions?

MR. ROGERS. Mr. Walter, I understood the opponents of statehood were going to be testifying this morning. I understood you to say you are for statehood.

MR. WALTER. Yes, sir.

MR. ROGERS. There are one or two questions I have. Of course, we disagree on that.

There has been a lot of testimony here about identified and known Communists. It seems that every time reference is made to Communists in a hearing, it is prefaced by an adjective—"known" or "identified" Communists.

Do you feel that the Communist menace in Hawaii is limited or confined to the known or identified Communists?

MR. WALTER. Of course not. It is the same as everywhere else. We have there some people out in front. Back of them the Communists who are not known, who wittingly or unwittingly aid in the cause, and then we have those dupes that are selected to disseminate propaganda, scientists, in newspapers and things of that sort. We have these various categories.

The people that I was talking about, like this man Hall—

MR. ROGERS. Yes.

Mr. WALTER. Who is the head of the labor movement in Hawaii.

Mr. ROGERS. You made reference to the fact that this bunch has a throttlehold on the economy, or words to that effect. Do you feel that at the present time the Communists have such control in Hawaii—let's say effective control in Hawaii—that they could throttle that economy out there if they desired?

Mr. WALTER. I do not think there is any doubt about it because, after all, Mr. Hall can give the orders to stop the shipping and within 2 weeks' time people are hungry. That is how easy it is, in my judgment, and knowing how that union operates, it is just a one-man order and that is the end of it. The members of the union have absolutely no voice in their affairs.

Many of them do not realize—many of them are not the best informed people in the world or the most intelligent and they do not realize that they are being used, that their hard-earned dollars go to pay high salaries to agents of Moscow.

Mr. ROGERS. And the reason for that is the fact that the Hawaiian Islands, being islands, have an economy that is subject to control by shipping in the sealanes, is it not?

Mr. WALTER. Very largely; yes sir.

Mr. ROGERS. Is not that same thing true, or would not that same thing be true, Mr. Walter, with regard to Alaska if we were blocked from crossing Canada in order to furnish supplies to Alaska?

Mr. WALTER. Of course.

Mr. O'BRIEN. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. WALTER. I think that is one of the reasons why I voted against statehood for Alaska, if that is what you are driving at.

Mr. O'BRIEN. Mr. Walter, those things of which the gentleman from Texas spoke, the controlling by certain people of the economy, is not that just as serious to them and to us while they are a Territory, the difference being that if they were a State, in your opinion, they could control these things better?

Mr. WALTER. That is it exactly.

Mr. ROGERS. That is the point I was coming to. Thank you, Mr. Chairman.

I had always understood that the Federal Government had a great deal more power than the States, especially in recent years, and I am wondering how you base your conclusion, Mr. Walter, that statehood status in Hawaii would furnish them with a weapon or weapons that are not now present for combating this menace.

Mr. WALTER. Well, in the first place, the officials in the Islands are appointed. They are not answerable to the electorate as you and I are. And if it is a State, then they are answerable to the electorate. So that unless they would act, then I am sure that they would be removed from their position.

Mr. ROGERS. Is not the legislature elected out there?

Mr. WALTER. Yes, the legislature is elected, of course.

Mr. ROGERS. The Governor is actually the only one who is appointed.

Mr. WALTER. No; the Governor is not the only one appointed; the prosecutor and judges and so on are also appointed.

Mr. ROGERS. Yes. But insofar as statehood status is concerned, is there any reason in your mind why you think statehood would put them in a better position to combat communism?

Mr. WALTER. Yes. I could spend a lot of time on that, but I understand all of that has been gone into, and I wanted to, for the purpose of saving time, devote my remarks just to this one phase of the question.

Mr. ROGERS. What I am talking about is the method of fighting communism. The conclusion has been made here a number of times that, if statehood were granted, it would put the people of Hawaii in a better position to combat Communists.

Insofar as the communistic menace is concerned, if that could be established in my mind insofar as that part of it is concerned, I would change my mind about statehood for Hawaii. That is the reason I am asking the question.

Mr. WALTER. I am disturbed at the Supreme Court decision in the Nelson case, which struck down the statute in my State, depriving us of the ability to prosecute known Communists. And actually, in another decision, the Supreme Court has done effectively the same thing with the Smith Act. So that by striking down the statutes in the State, and then the Smith Act, the Supreme Court has made us powerless to combat communism anywhere. This is no accident.

But it seems to me that, if it is a State, they are going to be able to enact legislation that can deal with this very vexatious problem, and they would be forced to do it by the people.

Mr. ROGERS. The thought that was in my mind, actually, Mr. Walter: No matter what powers they had to enact their statutes out there, the Supreme Court could fix it so that it would be mere words and would not be enforceable. So I could not convince myself it would add to the ability of the people to combat communism.

I have always said that the ability to combat communism, both in Hawaii and Alaska—of course, in Alaska it never did show up, as I understand it, as it did in Hawaii—but in both places that the Federal Government was in a better position of strength to fight that, and that is the reason I was asking the question.

If there is something that I do not know, I would like to know it.

Mr. WALTER. Has it not been the gentleman's experience that local law enforcement is always more effective where there is a will to enforce the law than Federal law enforcement?

Mr. ROGERS. That has been my argument with civil rights legislation, but I am not getting anywhere.

Mr. BURNS. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. BURNS. If you are not getting anywhere, are you ready to give up and give us a chance to try local self-government?

Mr. WALTER. I assure the gentleman on many occasions I felt like saying, "What is the use?" But I am sure it would make too many people happy.

Mr. ASPINALL. I am sure you mean the wrong people.

Mr. WALTER. The gentleman knows just who I am talking about.

Mr. ROGERS. That is all.

Mr. O'BRIEN. Are there further questions?

Mr. HALEY. Mr. Chairman, I might say that I do not know of a Member of the Congress that has done more than the witness has to fight Communists in this country. Many times it must have seemed to him a kind of a hopeless situation, and I do not know of any man in the Congress that I have a more high regard for his opinion than I do the witness before us.

I think he has done a wonderful job against terrific odds.

If I could convince myself, Mr. Walter, that the granting of statehood to Hawaii would do anything to resolve this Communist situation in Hawaii, I will assure you that I would be out there fighting for statehood. I have not been convinced, even in view of the fact that I do hold a high regard for the gentleman's opinion.

The chairman made reference just a little while ago to a report that was made by three members of this committee, the chairman, of course, being the chairman of that subcommittee that investigated the situation in Hawaii.

I would call this report to the attention of the distinguished gentleman from Pennsylvania and ask him, at his leisure time, to look over it and see if he agrees to some of the findings that were made by this committee, based on his own experience and wide knowledge of communism.

I would ask the gentleman if he agrees with this statement:

We find less interest in communism in the University of Hawaii than in most of the mainland colleges, particularly in the East.

Does the gentleman agree with that statement?

Mr. WALTER. I have no way of telling. I just have never studied that question.

Mr. HALEY. It also says there are about 25 identified Communists in Hawaii. Would the gentleman agree with that statement?

Mr. WALTER. I think that is a very low number. I think I could give you the names of a hundred within an hour if you would be interested. I do not think that makes any difference. The important thing is the leadership.

Mr. HALEY. I agree with the gentleman there, but I am trying to convince myself in my own mind if the granting of statehood to Hawaii would do anything to clean up this situation.

Mr. WALTER. Does not the gentleman feel that, in the event this legislation is enacted into law, there will be a great feeling of pride? How long it will last, I do not know. How long it lasts with a person who becomes a citizen of the United States, there is no way of telling. With some people it never ends. With others it ends the moment they cease to receive benefits.

But it seems to me that the moment these people have this responsibility imposed on them the best people in the community are going to put their best foot forward and they are going to try to eliminate those things that for too long they have been criticized for tolerating.

Mr. HALEY. The gentleman spoke a little while ago about the stranglehold that certain groups had on this island. Do you believe, Mr. Walter, that statehood would do something to bring about a more healthy condition in that situation?

Mr. WALTER. I hope so. I know that there has been no change since the time that the people first became aware of what the stranglehold actually amounts to. I hope that this will improve conditions. It certainly will not make them worse. It couldn't be.

Mr. HALEY. I am glad to hear the gentleman say that because it has continually been denied before this committee, or the testimony has been: No Communists in Hawaii; there are 25, or there is less than that. And it has continually been denied that the labor unions out there, some of the leaders of which you say have been convicted and probably should be in jail—that they do have a stranglehold on the

islands. It has been denied. I say that they do and that they exercise that at their whim.

As a demonstration of that, in the last few years, on numerous occasions they have exercised that stranglehold. When a committee of the Senate was out there investigating this same thing just a few years ago they exercised that.

Again, in 1954 they exercised that stranglehold.

If statehood for Hawaii will do anything to alleviate that situation, I would be willing to vote for statehood.

Mr. O'BRIEN. Would the gentleman yield?

Mr. HALEY. Yes.

Mr. O'BRIEN. The gentleman has made some reference to a report which the subcommittee made. I think, if the gentleman will examine it very carefully, he will find we did not brush anything under the rug, that we stated—perhaps not as completely as the distinguished witness did in his presentation—but we stated the existence of these things. We deplored the existence of these things.

But we also said the important question was whether the communism which exists can and will be controlled, and we believe it can and will be because of the desire of the people in the islands generally to control it.

I might point out, too, that on these convictions and the subsequent freeing of these seven people we have mentioned here, that where the machinery was under the control of the people of Hawaii there were convictions and the reversal came in a court over which the people of Hawaii have no control.

Mr. WALTER. That was a precedent in another case. That is what happened.

Mr. HALEY. The gentleman from New York is getting around to what some of us have contended for a long time: That if you leave control in the communities and States, we would be better off.

In regard to the report, Mr. Chairman, I hesitate to find fault with the report, but I know this: That approximately 4 years ago the Congress of the United States, the House, refused statehood for Hawaii.

Mr. O'BRIEN. And Alaska.

Mr. HALEY. And nothing has happened in the intervening time that I can see that would change that situation, except this: A public relations job has been done on the Congress of the United States, a snow job on the people of America. If you can show me one thing that has happened that would justify statehood for Hawaii over 4 years ago, I would like to see it. It just seems that certain groups and interests have—I might say it has been a good job, because they have been working—

Mr. O'BRIEN. Will the gentleman yield?

Mr. HALEY. Yes.

Mr. O'BRIEN. So I may point out to the gentleman that the same Congress 4 years ago refused statehood to Alaska and thereafter had the good sense to reverse itself. And we are hoping they will do the same with Hawaii.

Mr. HALEY. Of course, that is the opinion of the gentleman from New York. Whether it is good sense or not I do not know. I doubt it sometimes.

Mr. WALTER. Of course, the gentleman is not intimating someone has done a job on me, are you?

Mr. HALEY. No, they have not done a job on you. You are a little too tough. But there has been a job done, and it is a disturbing thing, I think, for people to see how the Congress can be swayed by emotional things rather than by facts. I have not seen any facts to overcome anything that the Congress did 4 years ago.

Mr. O'BRIEN. Will the gentleman yield further?

Mr. HALEY. Yes.

Mr. O'BRIEN. I know of no man who is more aware of the Communist situation in Hawaii than the witness we have this morning. No one can say he is soft toward communism and you yourself described him as tough.

Mr. HALEY. That is right.

Mr. O'BRIEN. And knowing the facts, this gentleman says he is going to vote for statehood for Hawaii.

I might say, if the gentleman will yield further, that one of the men who signed the famous Eastland report in 1956, a distinguished former Senator, was, as recently as last year, circulating a petition for immediate passage of Hawaii statehood.

Mr. HALEY. That is the thing that disturbs me—these former Senators and former people who were in the various Houses, suddenly change their position when they get out. I do not quite understand it.

Mr. ROGERS. Will the gentleman yield?

Mr. HALEY. Yes, I yield.

Mr. ROGERS. I received a Christmas card from Dorothy Lamour. I did not know she was Hawaiian.

Mr. HALEY. That is part of the snow job, yes. I might say that it is a good snow job.

Mr. O'BRIEN. May I say, if the gentleman will yield further, that if Hawaii depended upon Hawaiians' votes in Congress to get the bill through, they would never get it through because they have not a single vote. They have to depend on outside, whether it is Dorothy Lamour or Leo O'Brien does not make any difference. They are both citizens.

Mr. HALEY. I would say the gentleman from New York has done a job on getting statehood for both Alaska and Hawaii.

Mr. BURNS. Will the gentleman yield?

Mr. HALEY. I am going to yield the floor. I want to apologize to the witness for taking his time.

Mr. WALTER. May I ask unanimous consent that the testimony I gave before the Senate committee on May 21, 1950, be made a part of the record in my statement?

Mr. O'BRIEN. Without objection, it is so ordered.

Thank you very much, Mr. Walter. I appreciate your taking your time.

(The information referred to follows:)

STATEMENT OF HON. FRANCIS E. WALTER, A U.S. REPRESENTATIVE FROM
PENNSYLVANIA

Mr. WALTER. Mr. Chairman, I am Francis E. Walter, a Representative in Congress from Pennsylvania.

Several weeks ago, after a resolution was presented to the House of Representatives from the Legislature of Hawaii requesting an investigation of the infiltration of communism in Hawaii, the Committee on Un-American Activities conducted a very lengthy investigation. Preliminary to the hearings, our staff, together with the FBI, Naval and Military Intelligence, went over the files and

records pertaining to this subject. As a result of the examination made by these investigative bodies, we reached the conclusion that at no time were there more than 160 Communists in Hawaii.

Senator TAYLOR. In all of Hawaii?

Mr. WALTER. In all of Hawaii. That was the maximum strength. The maximum was reached some time in 1946. We have reached the conclusion that since that time the Communist strength has dwindled to the point where today there are no more than 90 Communists in all of Hawaii.

This group is led by militant Communists, who are native Americans sent to Hawaii from the United States.

For the most part the Hawaiian Communists don't know what it is all about. The field is very fertile for the activities of that sort of a group. The workers' conditions were not good, with the result that, as these trained Communists found their way into Hawaii and infiltrated into the labor movement, and into the Democratic Party—I am ashamed to say, but I do say quite frankly—they found the type of people who, for economic reasons, were willing to follow leaderships that could offer them more than they had.

The labor movement is dominated by a handful of well-trained Communists who were quite successful in either recruiting people who became Communists subsequent to the time that the agitation started, or Communists who were members of various racial groups, who were given positions of importance in the union. As an example, a man working in the sugar fields, a leader in a certain racial group, found one morning that he had been elected to an executive committee of the union when, as a matter of fact, there had been no election and he had not been a candidate for anything, but the leadership selected that man—and that is a typical case—because of his influence with a certain racial minority group or in a particular industry.

Senator TAYLOR. You mean they elected him to this important office and then put the pressure on him, or made it attractive for him to become a Communist?

Mr. WALTER. In the case I have in mind this man was not a Communist until after he had been selected. Then he was taken to a meeting, which he thought was a union meeting, but it was actually a Communist meeting, and he subsequently received a Communist card.

Now it is quite significant that a large number of these people came before our committee and quite frankly admitted that they had become Communists in some manner or other, unwittingly usually. Many of them broke with the Communist Party when they saw that they were actually in an international movement and not merely members of an organization that was set up for the purpose of endeavoring to improve the lot of the workers.

I believe that as the result of the investigation the Committee on Un-American Activities held the members will continue to decrease. While there are 90 today, it is my guess that before the end of this year there will not be over 40 Communists left in all of the islands. The people are aware of what the situation is. The people realize full well that they have been duped and, for the most part, they do not care to be associated longer with that sort of movement.

Now as to the infiltration into the Democratic Party, that too is understandable. In certain sections of Hawaii the Democratic Party was not strong, was not organized, so it was a comparatively simple matter to select somebody in a particular area in Honolulu, have him elected as a committeeman, and then, of course, in that manner endeavor to obtain control of the party machinery. They succeeded, I believe, in electing four or five Communists or fellow travelers to those positions.

Senator BUTLER. Congressman, on the same theory, could we assume that it will be comparatively easy for the real Democrats to recapture control of their party organization?

Mr. WALTER. I don't think there is any question about it, Senator, because now the people realize just exactly what communism is, just what it means to the islands, and with the spotlight on these people, I am fairly convinced that the decent Democrats will clean house.

Senator BUTLER. Did you get any report on the Territorial convention, the Democratic convention, there Sunday?

Mr. WALTER. Well, I know what happened, but, after all, the time was too short for the people who are opposed to this group to organize.

Senator CORDON. What did happen, Congressman?

Mr. WALTER. I understand the leftwing group retained control, and I am certain that is due to the fact that the people who should have control of my party, and who ultimately will have control of it, have not had an opportunity to organize.

Senator TAYLOR. Mr. Congressman, I have devoted a great deal of thought to this question of Communists representing themselves as being what they are not, and getting into other political parties. I have been wondering if it would be a good idea—and, of course, it may not even be constitutional, as far as that goes—if the Congress could pass a law that any political party could ask of a candidate to be a member of that party, that they had taken an oath that they were not a member of any other political party or organization, and attach a penalty to it if they misrepresented.

Mr. WALTER. You would have the same situation that they have in England, where the coal miners are not represented at labor conventions because the head of a coal-mining union happens to be a Communist.

Senator TAYLOR. Then if the political party wanted to protect itself from infiltration, whether it be the Democrats from being infiltrated by the Republicans, or Communists, or Progressives, or any other cross mixture, there would be some way for them to do that. I have been thinking it might be an excellent idea.

Senator ECTON. Are you afraid of Republican infiltration into the Democratic Party, Senator?

Senator TAYLOR. I am very much afraid of it in Idaho this next election.

Mr. WALTER. Well, that is something that does not disturb us Pennsylvania Democrats. The Republicans have never attempted to infiltrate our party.

Senator CORDON. May I make one or two inquiries, Mr. Chairman?

Senator TAYLOR. Yes.

Senator CORDON. Congressman Walter, you stated in the opening portion of your remarks that your committee reached a conclusion that the high tide of communistic infiltration in the Hawaiian Islands occurred in the year 1946, at which time there were, however, not over 160 Communists in the islands.

Mr. WALTER. Yes, sir.

Senator CORDON. That at the present time there are not over 90 Communists?

Mr. WALTER. Yes.

Senator CORDON. When you mention Communists, do you include the so-called sympathizers, the fellow travelers?

Mr. WALTER. No, I do not; because it is very difficult to draw the line of demarcation. I have been charged with being a Communist myself because I have been for rent control. As a matter of fact, 2 years ago I was charged with being a Communist on the day I was elected vice president of one of the biggest banks in Pennsylvania. That was because of my position with respect to the measures that was under consideration. Of course, you can't draw the line. I mean card-carrying Communists. The people, in some manner or other, became members of the Communist Party and were assigned to various cells of the Communist Party.

Senator CORDON. How did you reach your conclusion as to the number?

Mr. WALTER. As a result of the investigations made by the committee staff working in conjunction with the FBI, Naval Intelligence, and Military Intelligence.

Senator CORDON. Would you say that your estimate is reasonably accurate as an estimate or a count, rather than, perhaps, reasonably accurate as an educated guess?

Mr. WALTER. I think my estimate of 90 is excessive, and my guess is as of today it does not exceed over 60, because almost hourly these people are leaving their associations. It was very interesting to us to hear one witness after another testify he had gotten out of the Communist Party because his wife had found out what communism was, and it influenced him into breaking ties with that group.

Senator CORDON. Did your subcommittee have reported hearings?

Mr. WALTER. Yes, sir.

Senator CORDON. Will these hearings, or a transcript, be available by any chance to this committee?

Mr. WALTER. They will, of course.

Senator CORDON. I think it would be most helpful if we could have access to them.

Mr. WALTER. All right.

Senator CORDON. Now the next question, Congressman—and here I realize that, to a very great extent, it is a matter of opinion, but even so, you have had

considerable experience in this particular field of subversive activities and you have a trained staff who had even more experience in the field—what is your view as to the extent of the influence which the card-carrying or non-card-carrying but true Communists, international conspirators, have among the people of Hawaii?

Mr. WALTER. I think that the rank and file of the people, because of the splendid press in Hawaii, have now become aware of the fact that communism is a worldwide conspiracy. I think they recognize it today for what it actually is. I don't believe that 6 months ago they knew what it was, but I do think that they understand it now, and given the opportunity they will put their own houses in order. As the best proof of that I would like to point out to you the fact that two members of the constitutional convention were deprived of their seats because of their connection with the Communist Party, which certainly indicates to me that that group is bound and determined to take appropriate action to see to it that subversives have no voice in the government.

Senator CORDON. Did you have an opportunity to have access to the information of the Armed Forces intelligence and the FBI?

Mr. WALTER. Yes, sir.

Senator CORDON. And, of course, an opportunity for oral discussion with the representatives of both agencies located in the islands?

Mr. WALTER. Yes, sir; and for months before the investigation was held we were in frequent consultation with the representatives of the several agencies charged with the responsibility of our security. We were furnished with the kind of information that made it possible for us to unmask the whole conspiracy out there.

Senator CORDON. Well, they had both been very kind to me when I was there, as was Governor Stainback. I was interested in knowing just what cooperation you had. Did your investigation, or that of your staff, go beyond Oahu to the other islands?

Mr. WALTER. Yes, sir. We brought witnesses from the other islands to Oahu, and they testified.

Senator CORDON. I think, Mr. Chairman, that is all. I would suggest that at the appropriate time a request be made, through Congressman Walter, for a copy of the transcript of the hearings of his committee.

Mr. WALTER. Consider it as having been made. You will be furnished with a transcript.

Senator TAYLOR. All right.

Senator BUTLER. Mr. Walter, I telephoned you the other day and made the same request, personally.

Mr. WALTER. Yes.

Senator BUTLER. I appreciate the conversation I had with you at that time, without any particular specification, but your committee seemed to confirm what I had in my report last year in substance.

Mr. WALTER. Your report was quite helpful as a guide to us when we started. Thank you, Senator.

Senator TAYLOR. Thank you, Congressman.

Mr. FARRINGTON. I would like to have permission also to incorporate a statement in the record by Congressman Walter made to the press.

The CHAIRMAN. It may be received by the committee.

(The statement is as follows:)

[From Honolulu Star Bulletin, April 10, 1950]

"REPRESENTATIVE WALTERS SAYS ISLAND ABLE TO COMBAT COMMUNISM"

"Representative Francis E. Walter (Democrat-Pennsylvania) called Hawaii the Gibraltar of the Pacific in an opening statement, noting that the committee has no desire to hurt either statehood or the labor movement.

"The purpose of this investigation," he said, "is to determine the extent, the character and the objects of Communist activities in the Territory of Hawaii.

* * * * *

"There is no greater power than the power of public opinion and if as the result of these hearings there be a public disclosure of Communist activities in the Territory of Hawaii, this committee believes that the integrity, character, and loyalty of the people of these islands, of all races and creeds, is such that communism will find no haven here and that it will promptly be eradicated by an informed public opinion."

"TEXT OF STATEMENT

"The text of Representative Walter's statement follows:

"Pursuant to statutory authority and in response to requests embodied in a joint resolution of the legislature of the Territory of Hawaii and in resolutions of certain civic organizations, which resolutions were referred by the Speaker of the House of Representatives to this committee, the Committee on un-American Activities of the House of Representatives opens its hearings today in Honolulu on the subject of communism.

* * * * *

"This committee from time to time has investigated un-American activities of Fascist, Nazi, and other totalitarianisms designed to overthrow by force and violence the democratic form of government under which we live.

"The Communist conspiracy in many forms, including that of espionage by foreign agents, has been brought to light in investigations conducted by this committee.

"With the revelation of Communist infiltration in education, entertainment, government, labor, and other fields of endeavor, this committee has devoted much of its time in the past few years to the subject of communism.

MANY INVESTIGATIONS

"These investigations have been conducted in numerous cities and States on the mainland, the latest being in the western part of my own State, Pennsylvania. It is the duty of this committee to expose communism wherever found within its jurisdiction.

* * * * *

"The purpose of this investigation is to determine the extent, character, and objects of Communist activities in the Territory of Hawaii.

* * * * *

"There is no greater power than the power of public opinion, and if as a result of these hearings there be a public disclosure of Communist activities in the Territory of Hawaii, this committee believes that the integrity, character, and loyalty of the people of these islands, of all races and creeds, is such that communism will find no haven here, and that it will be promptly eradicated by an informed public opinion.

"In approaching its task, the committee cannot be unmindful of the fact that Hawaii is our Gibraltar of the Pacific—a vital link in the security of our west coast.

"RED PEARL HARBOR

"Nor can we be unmindful of the aggressive designs of Soviet imperialism in the Pacific area. Our hearings should alert Hawaii and the entire American Nation to the dangers of a Red Pearl Harbor.

"Anticipating, from our experience in other important investigations, the smear campaign which will be directed against this inquiry by the Communist slander apparatus and its supporters, I wish to clear up certain possible misconceptions at the outset.

* * * * *

"It will be said that the facts sought out at these hearings will injure the campaign for statehood in Hawaii. Our hearings will in no way involve the merits of this proposal. Speaking for myself as an individual Member of Congress, I wish to make it plain that I am a strong advocate of granting immediate statehood.

* * * * *

"Other members of our committee have taken a similar position in the House of Representatives. But this matter is outside of the specific purview of our present inquiry.

"If loyal citizens expose the machinations of this subversive organization during the course of this investigation, then the menace, if one exists, can be fought by the people in their own way, and those favoring statehood will owe a great debt of gratitude to those who assist in such an exposure.

"It will also be alleged by the Communists and their apologists that we are motivated by a desire to injure the labor movement. Nothing could be further

from the truth, as will be demonstrated by any impartial review of the investigations conducted by this committee.

* * * * *

“Make no mistake about it. The Communists will shriek from the very house-tops that the present inquiry is directed against persons of Asiatic descent, that we are interested in promoting racial discrimination.

“ROBINSON'S STATEMENT

“They would have you forget that it was before our committee on July 18, 1949, that Jackie Robinson, that famous second baseman of the Brooklyn Dodgers made his ringing statement which echoed all over the United States. Let me recall a few words from that memorable statement:

“‘I and other Americans of many races and faiths have too much invested in our country's welfare for any of us to throw it away because of a siren song sung in bass. I am a religious man. Therefore I cherish America where I am free to worship as I please, a privilege which some countries do not give. And I suspect that 999 out of almost any thousand colored Americans you meet will tell you the same thing.’”

“Today we are confronted with a new menace—the menace of totalitarian communism, which would destroy our democracy and lead us all down the road to slavery. This menace must be pitilessly exposed for what it is.

* * * * *

“It is my firm conviction that the people of Hawaii will leave no stone unturned to unmask this hideous conspiracy.

* * * * *

“It is quite possible that Communist cunning has succeeded in misleading some people in Hawaii just as it has misled some people elsewhere in the United States with their glorious but false promises. They should not be victimized for such mistakes.

“But you cannot win people and hold them in any part of the world with lies. Sooner or later truth will triumph right here in Hawaii, elsewhere in the United States, and in foreign countries. We have arrived at the inevitable day of reckoning for the Reds.

“EXPERIENCE WITH REDS

“As one who has had some experience with the methods of the Communists, I know that they will not hesitate to resort to any and every method of terrorism to prevent exposure.

“Red gangsters can be expected to act true to form. Let me issue this stern and solemn warning, however.

* * * * *

“I shall not hesitate to invoke all the power at my command as chairman of these sessions against any individual or individuals who attempt to interfere with the duly authorized functions of this congressional committee.

* * * * *

“The citizens of Hawaii have written a noble page in American history during the last war against totalitarian fascism. They have faced death with unflinching heroism and self-sacrifice.’”

Mr. O'BRIEN. May I say at this point that a question was raised yesterday about the membership of the ILWU and the number of members of the ILWU who actually voted. We have the information this morning.

The membership of the ILWU is 21,546, approximately 40 percent of whom are noncitizens, and with other disqualifications, a guess of 50 percent eligible to vote would be nearly correct.

Mr. ROGERS. Will the gentleman yield?

Mr. O'BRIEN. Surely.

Mr. ROGERS. What do you mean by 40 percent are not citizens? Not citizens of the United States?

Mr. O'BRIEN. That is right.

Mr. ROGERS. Who are they?

Mr. BURNS. If I may answer that, basically they are people of Filipino ancestry.

Mr. ROGERS. Filipino?

Mr. BURNS. Right.

Mr. ROGERS. Where is their country? To whom do they owe allegiance?

Mr. BURNS. They are nationals of the Philippines and permanent residents of Hawaii, permanent residents of the United States. Approximately 10 percent of our total population is alien.

Mr. ROGERS. Ten percent?

Mr. BURNS. Right.

Mr. ROGERS. Is that 10 percent of 635,000 or 575,000?

Mr. BURNS. 575,000.

Mr. ROGERS. The reason I asked that, the Secretary of Interior gave the chamber of commerce figures, I believe, as 635,000.

Mr. BURNS. That is the total in round figures.

Mr. SISK. Mr. Chairman, may I make a unanimous consent request in view of the figures you have given on ILWU?

I have in my hand this morning in answer to a question which I directed to Mr. George D. Riley yesterday with reference to the total membership of the AFL-CIO in the islands, a letter from him this morning which I ask for unanimous consent to be made a part of the record, or at least that portion of the letter having to do with the figures in which he states that on the Department's own figures for 1957 the AFL-CIO had 10,000 members in the islands.

That was the 1957 report. There has been a substantial increase since that time, but unfortunately we do not have the latest figures.

Mr. O'BRIEN. Without objection, that will be made a part of the record.

Mr. ROGERS. Mr. Chairman, may I ask a question on the subcommittee report?

Mr. O'BRIEN. Yes.

Mr. ROGERS. In which you said:

We also were told that no proof exists of Soviet espionage contacts on the part of Communists in Hawaii.

Who told you that?

Mr. O'BRIEN. May I answer that question in this way: While we were in Hawaii we consulted with the top law enforcement officials in the Federal Government and the Territorial government. We were told that by those people.

If I sound a little vague, it is not an accident because we obtained certain information from high places that we agreed was for our own information, and that we would not quote those sources.

May I say to the gentleman that he knows the three men who were there. I can assure him that the information to which he refers was not something we picked out of the air but was given to us by people in a position to know. And if they do not know, no one knows.

Mr. ROGERS. I was not questioning the fact that you were told that. The question that is in my mind, in view of the testimony of the chairman of the Un-American Activities Committee, is whether or not the persons who told you that knew what they were talking about. I can't evaluate that unless I know who told you.

Mr. O'BRIEN. May I put it this way: that the people most alert to any contact with Soviet espionage people, the ones who are responsible for ferreting out those things, were the ones who told us that.

Mr. ROGERS. Would you say that they were connected in any way with the CIA?

Mr. O'BRIEN. CIA?

Mr. ROGERS. Yes.

Mr. O'BRIEN. No.

Mr. ROGERS. Our CIA?

Mr. O'BRIEN. No.

Mr. ROGERS. Why would they be afraid to be identified?

Mr. O'BRIEN. They are not afraid to be identified. Rightly or wrongly, your committee agreed to keep their identity secret.

Mr. ROGERS. Why did they ask to have their identity kept secret?

Mr. O'BRIEN. Because they did not want to be put in a position of taking a stand for or against the statehood matter. They did not feel it was their province.

Mr. ROGERS. They did not mind taking a stand for or against communism?

Mr. O'BRIEN. They did not take a stand for or against communism. They only told us what they knew about communism. I assure you they were not favorable.

Mr. ROGERS. Were not favorable toward communism?

Mr. O'BRIEN. Yes.

Mr. ROGERS. How were they on statehood?

Mr. O'BRIEN. We did not ask them their stand on statehood.

Mr. ROGERS. I do not want to badger the question, but it seems to me, if people give out information that they have proof there is no espionage contact insofar as the Soviet Union is concerned, and there are obvious agencies in these areas, and according to the testimony of the chairman of the Un-American Activities Committee, there is a lot more going on over there than this committee has learned so far, and I am wondering if the chairman can get in touch with those people and get a release from them so we could identify them. I would like to have them in here as witnesses.

Mr. O'BRIEN. I think we will have shortly a more detailed report in favor of statehood for Hawaii from the Department of Justice. Now I would think the Department of Justice would have a considerable knowledge of what is going on in the field we have been discussing.

Mr. ROGERS. I would not want to substitute the Department of Justice for the people who told you this in Hawaii because I and the Department of Justice do not see eye to eye on a lot of things, even though we bear the same name.

Mr. O'BRIEN. You mean the Department of Justice disagrees with the gentleman, too?

Mr. ROGERS. Yes.

Mr. SISK. Will the gentleman yield?

Mr. ROGERS. Yes, I yield.

Mr. SISK. I appreciate the concern of my colleague from Texas on this matter. I think maybe it is a little unfortunate that we who were out there and who did sit in with the top law enforcement officers, both of the Territory and of the Federal Government, wherein

we gained this information, were not any more free to explain the details.

But I want to join with my chairman in the fact that these were facts given to us by the top law-enforcement agencies of both the Federal Government and the Territory.

Mr. ROGERS. As I read this, information you got was there was no information.

Mr. SISK. No; I do not think so.

Mr. ROGERS. That is what it says. It says, "We were told that no proof exists." That is the reason why I cannot understand why anyone would be afraid to be identified after holding himself out as an expert on a subject as important as this, and give his word that no proof exists of any connection between Soviet Russia and the espionage agents which might be in the Hawaiian Islands.

Mr. O'BRIEN. If the gentleman will yield, the gentleman knows very well with whom we talked.

Mr. ROGERS. Oh, no. The gentleman sure does not. He sure does not. I do not have any idea to whom you talked. It was not Dorothy Lamour, was it?

Mr. O'BRIEN. May I tell the gentleman with whom we did talk?

Mr. ROGERS. I mean, I would not want you to violate a confidence.

Mr. O'BRIEN. I assure you I am not.

Mr. ROGERS. Unless you get a complete release, because it would be very embarrassing on the House floor.

Mr. O'BRIEN. We talked with people at the Territorial and Federal level who have the fullest knowledge of what is going on in that particular field. That was military and civilian as well.

Mr. ROGERS. That is the thing that there is suspended animation on. You state a conclusion that you talked to a man who knew what he was talking about. I think that the Members of the Congress ought to know the name of that man so they could make their own evaluation of it.

A lot of people say, "I talked with Mr. Allen Dulles, head of the CIA, and because he is head of the CIA he ought to know about what he is talking." But for some reason he did not know about a lot of things that have been happening in Iran and in Russia and everywhere else he is supposed to know about.

If my information is right, there are 10 requests for congressional inquiries as to what has been going on down there behind those cloaks and daggers. I do not know whether it is true or not.

The thing I am talking about is this: I have the greatest admiration for your ability to weigh a man's ability and knowledge, but I would like to hear it myself, too.

Mr. O'BRIEN. I can understand the gentleman's feeling for wanting all the knowledge available, but I am afraid we cannot at this time tell you the exact persons who gave us this information. I hope that you will take our collective word for it that we received it, or we would not have put it in the report.

Mr. ROGERS. I do not say that. I will take your word for it and will make an affidavit right now that you received it.

The only thing I am worrying about is who you received it from, because you and I might differ on their ability.

If the gentleman will release me—I may not do it—to bring this up on the floor of the House if necessary, I would appreciate it.

Mr. SISK. Will my colleague yield further?

Mr. ROGERS. Yes.

Mr. SISK. These people did not set themselves up as experts. These people were the top people with the responsibility of control and know about communism. As I am sure my colleague knows. I do not think we intimated they claimed to be experts other than the fact they probably are the most expert and most knowledgeable of anyone we have in that field in connection with Communist espionage.

Mr. ROGERS. This says, "We were told no proof exists."

When I was a boy I was told there was a Santa Claus and later on I developed some doubts about that situation. This report says that you were told no proof exists. I do not doubt you were told that, but I do think that the Congress ought to have the right to know who did the telling.

Mr. ASPINALL. Will my colleague yield to me?

Mr. ROGERS. Yes.

Mr. ASPINALL. I like that Santa Claus reference because I wonder if my colleague followed the pattern his own chairman set when his own children came along and hesitated to deny to a younger one that there was a Santa Claus.

Mr. ROGERS. They were all right up to a certain time. Now they are questioning me on everything.

Mr. O'BRIEN. Perhaps we can clear up the whole matter in the gentleman's mind. The information did not come from Santa Claus. [Laughter.]

Mr. ROGERS. I reserve the right to bring the matter up on the floor.

Mr. O'BRIEN. Surely.

Our next witness is Mr. Poage of Texas.

STATEMENT OF HON. W. R. POAGE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. POAGE. Mr. Chairman and members of the committee, I do not want to come as an opponent of statehood for Hawaii. I noticed in the newspaper that you had gotten down to opponents. But I thought this might be a good time for one who——

Mr. ROGERS. If the gentleman will be kind enough to yield, if you would, as an opponent, there would be two of us here this morning.

Mr. POAGE. Well, you might get me as an opponent.

I would like to keep the attitude of having the right to make up my mind after I hear a further discussion of some of the matters that are being discussed, because I recognize there is a whole lot to be said in favor of Hawaiian statehood, and I have voted for it. I recognize that there is a whole lot to be said against statehood at this time.

I recognize that basically that many of the people of the United States supported statehood for Alaska last year and will support statehood for Hawaii this year for the same reason.

We are finding the whole world subject to a wave of demands of local government and the abolition of what we have come to call colonialism. I think there is an awakening all over the world and a feeling that people should run their own affairs—at least all over the world except in the United States itself.

Of course, as has been well brought out here this morning, there is probably a wave in exactly the reverse here in the United States, a great many people wanting to run the affairs of everybody else and wanting to run the affairs in States where they do not live, and wanting to run affairs that do not concern them whatsoever, that has to do only with self-government.

They are wanting to destroy local self-government within the now constituted United States and to establish it elsewhere.

It seems to me it might be the better thing to adopt a uniform policy and recognize local self-government everywhere, including the Southern States of the United States. I think they are entitled to as much local self-government as other parts of the world are entitled to.

Of course, we have been denied that for a long while and apparently are going to continue to be denied it.

The one thing that concerns me, the one thing that might lead me to oppose this Hawaiian statehood is if I got the feeling this was really more of an effort to wipe out local self-government in the United States than it was to extend local self-government abroad. If, in fact, this effort is one simply to get two more votes in the Senate to deny local self-government in the United States, then I do not think that it is a worthy effort.

If the whole effort is to give local self-government in the Hawaiian Islands, I think there is a great deal of merit to it.

It is sort of hard to distinguish just exactly what is behind everybody's motives. I am sure that many individuals have a mixed emotion about the matter. But I am quite certain, and I am sure the members of this committee recognize that actually this effort is not simply one to give local self-government to Hawaii, but just as truly it is an effort on the part of some to take local self-government away from a number of existing States. I do not know how to separate them.

I will be glad to listen to the arguments as time goes on. And if I can separate them and can convince myself it is truly an effort to give local self-government to Hawaii, I am going to vote for that local self-government.

If I become convinced it is primarily an effort simply to pack the U.S. Senate to create votes to destroy local self-government in my home, then obviously I am interested in my people enjoying local self-government, too.

But, apart from that, it seems to me that if we are making a clear-cut effort to apply local self-government where it does not exist, to give the advantages of statehood to every American citizen, if we are seriously interested in wiping out vestiges remaining of colonialism in our American form of government, then definitely we ought to expand the limits that you place in this bill on the State proposed.

The United States has other islands in the Pacific Ocean. The Hawaiian Islands are not the only islands in the Pacific Ocean where American citizens are in a stateless status.

It does not seem to me to make good commonsense to bring in a State at this time involving most of the citizenship and most of the Territory of the vast Pacific and leaving a few small islands and a few small patches of people around still in a stateless status.

It seems to me that the least we can do is to solve this thing and to include in the Territory of the new State all of the territory that be-

longs to the United States in the Pacific Ocean that is of a stateless status at the present time.

Mr. ASPINALL. Will the gentleman yield at that place?

Mr. POAGE. Yes, surely.

Mr. ASPINALL. You are speaking of only one island——

Mr. POAGE. I am speaking of all American islands.

Mr. ASPINALL. Only one of the islands you are talking about has citizenship—go on.

Mr. POAGE. I am talking about Samoa, as well as Guam and Johnson Island. I am talking about all of the American islands.

Mr. ASPINALL. They are nationals. In Guam the residents the full citizens.

Mr. POAGE. You are talking about citizenship?

Mr. ASPINALL. Yes, I am talking about citizenship.

Mr. POAGE. All the more reason for dealing with Samoa, with Johnson Island, with the rest of the islands that are American territory. I know the gentleman disagrees with me, but I hope the gentleman will let me express my views.

Mr. ASPINALL. But they are not incorporated Territories. That is what I am talking about.

Mr. POAGE. I understand they are not Territories. They are territories of the United States, however.

Mr. ASPINALL. No, they are not incorporated Territories of the United States. That is what I am trying to say.

Mr. POAGE. I am not talking about the legal status; I am talking about the geographical situation. They are the territory of the United States. They are owned by the United States. We claim sovereignty. The United States flag flies there. They are the territory of the United States and American boys give their lives to defend them. They are the territories of the United States.

Their people are entitled to the same respect that the people of Texas and Hawaii are entitled to. They are a part of the United States. They are some of the last vestiges of pure colonialism. And if the United States is going to make the great step, then I think it is commendable on the part of this committee to recognize it.

But that is exactly the point I am trying to get at, Mr. Chairman of the full committee. That is exactly the point I am trying to get at—to try to determine whether this committee is really trying to wipe out colonialism, to bring about local government, or are you simply trying to get votes in the United States Senate to wipe out my liberties?

If you are going to keep these islands, to hold them as a threat, and when you need two more votes in the United States Senate, you are going to create the State of Guam, and at some later date are going to create the State of Samoa, then I think the whole thing is a fraud.

If, on the other hand, you are sincerely and seriously trying to wipe out the vestiges of colonialism, which I recognize as well as any of us do is not a thing that properly fits into the American system of government, if we are actually going to wipe it all out, let's do it.

The point I am trying to make to the committee: Let's not do a part of the job here. Let's do the full job. Let's provide that these people will become citizens, not only of the United States, but of a State in the United States.

Mr. WESTLAND. Will the gentleman yield?

Mr. POAGE. Sure.

Mr. WESTLAND. Do you confine this just to the Pacific?

Mr. POAGE. I do, because I know no way of creating a State in the Pacific and putting Puerto Rico or the Virgin Islands in, if that is what you are talking about, and putting them in that State.

I think it would be such a strained situation to try to put something over here in the West Indies into a State that has its capital in the middle of the Pacific Ocean and most of its citizens over there. I think it would be rather ridiculous.

Mr. WESTLAND. Are you making the point these other areas should be included in the Hawaiian statehood bill?

Mr. POAGE. All of the islands of the Pacific; yes, sir. I think you have to deal differently with our positions in the Caribbean Sea, which is another problem. But it can be solved and it can be dealt with.

I am only asking you to deal with this problem. I am only asking you not to keep this thing something that is going to come back up here at a future date.

I know that these people have a proper right to aspire to American citizenship. That is why I voted for Hawaii, Mr. Burns, some years ago, because I know when Hawaii was annexed to the United States, whether it was legally binding as an obligation or not, I know that the chairman of the Foreign Relations Committee of the Senate told them they would be made a State. I know American officials have led them to believe they would be a State. And I believe in keeping the obligations of the U.S. Government.

I fully agree with the idea that all of these people that we claim sovereignty over ought to be American citizens. But, if it is unwise to step up the movement of those who live in Samoa and the Johnson Islands at the present time into full citizenship, let us at least put in this bill provision for the admission of these areas into the State of Hawaii at a future date. Let us not preclude the things at this time.

Let's do not say that we have now created this State and that these other islands are later going to have to come through the same process and create two more U.S. Senators or six more U.S. Senators.

Mr. BURNS. Will the gentleman yield one moment at that point, if I may?

Mr. POAGE. Surely.

Mr. BURNS. And if the people of Samoa want to build their own culture and their own society and their own decision in the same way as Puerto Rico is trying to do in a commonwealth status with self-government, as an affiliated part of the United States with self-government, would you deny them that right to do so?

Mr. POAGE. I would. I would not affiliate anybody, Puerto Rico or anybody else, with the United States.

My own view—and I am merely expressing my own view—is that you are either fish or fowl or good red meat and not something else. You are either a good American citizen or you are not.

I would make everybody who wants the privileges of American citizenship accept the obligation of American citizenship, and I would not extend the privileges to anybody, regardless of where they live, unless they are willing to accept the obligations of American citizenship.

I think our so-called commonwealth status is something that avoids obligations and confers privileges without corresponding obligations.

Mr. BURNS. Then the gentleman would divorce them entirely and then let them go on their own?

Mr. POAGE. I would let them go on their own, anyone who wants to.

Of course, we in the South fought a war for that and we lost that one and are likely to lose another. We always believed and still believe if anybody wants out, let them get out and go on their own.

I would gladly say to anybody in or out of the continental United States, go your own way if you do not like the union you are in.

But I know the gentleman will not agree with me on that. But I would be perfectly willing to let any of these people, who would prefer to, go somewhere else.

I think General de Gaulle set a splendid example in the French union in telling the French colonies, "If you do not want to adopt this constitution, go your own way."

I think we might well profit by that example and do the same thing. But at least we should make provisions. At the very minimum this bill should contain provisions for the admission of those areas into this State, and unless you put it in here now, gentlemen—I mean in all seriousness—unless you put it in here now, it is not going to be there, and there is never going to be any way of bringing them in as states.

You may say maybe there is some way, but I ask you, where have we ever brought new territory into a State? You do not do it. And what you are fixing now is probably for a much longer period of time than you have in mind. You are fixing it permanently. You are setting the course and the policy of the United States possibly for hundreds of years and you are not only setting our policy, you are setting the example that the world is going to judge us by.

If we are going to get any advantage of passing this kind of legislation in the forum of world opinion—and I think we should if we are going to do it—we are going to have to take care of the rest of these people in the Pacific, else all of the anti-American propaganda is not going to point to the fact that you gave citizenship to 600,000 Hawaiians or statehood status, it is going to point to the fact that you denied to 72 people on some atoll out in the Pacific the same thing.

It is going to point to the very small group that did not attain citizenship, and it does not make any difference how small that group is, so long as we legally deny citizenship to the small group, so long as we say the United States of America, just because we are big and powerful are going to crush you and hold you, giving you neither independence nor statehood. I know we are going to be subject to criticism.

But now do not think that our antagonists are not going to be able to make exactly the same sort of case out of the people who are on Guam. But if you will include those people, maybe just include Guam momentarily in the area, make them a county—they can come to Honolulu to attend their State government just as easy as most of us formerly could go to our State capitals. We created counties in the United States. There are just a little over 3,000 of them in the United States. They were created in order that people might be able to go into their local county seat and transact business.

In my area they average 30 miles square, because that was as far as a man could drive his team in and back in a day.

Today we do not need counties that small. Today it is easier to go from the most distant island in the Pacific to Honolulu than it was to go from the north end of Potter County down to Amarillo, the county seat, some years ago.

It is not an impractical thing to have courts at Honolulu for these people in these distant islands. It is not an impractical thing for them to have their legislature there. It is not an impractical thing for them to come in and have their seat of government there.

If you will but include those who are now ready in the new State and make provision for the admission of those others at some time when you think they are ready, you will have taken a lot of the propaganda value away from the Russians that they now enjoy because of our failure to give statehood status to these people of the Pacific.

But if you confine your action simply to the people on the Hawaiians, you are not helping us a bit from the international standpoint.

I do not mean to say that should be the reason for not going on with it, but I do mean to say that you will have failed to capitalize on an opportunity that the United States has.

Thank you so much, Mr. Chairman.

Mr. O'BRIEN. Thank you, Mr. Poage, for your views in the matter.

I might say that in my activities in connection with statehood I never thought very much about creating additional U.S. Senators who would take a liberty away from existing States.

In fact, I might point out that a number of people were surprised when the brand new Senators from Alaska voted as they did on the cloture matter in the Senate.

Mr. POAGE. Yes. We have been watching that and, as I said, I am watching this thing. I want to know what is behind it.

Mr. O'BRIEN. Yes. I think you would find the two new Senators from Hawaii, if they spring from the kind of people we met over there, would not be anxious to take liberties away from the rest of us.

I might say also that my interest in statehood developed from the fact there were exactly two incorporated Territories under the American flag who did not have statehood and which were able and willing, in my opinion, to handle statehood.

Now we have just one, just one—Hawaii. It is the only one left. And it is the only incorporated Territory we still have. It is the only area I know of outside of the present 49 States which wants and is capable of supporting statehood.

But I do think that the suggestion we tie some of these other places into the proposed new State is interesting. I am not too familiar with the debates at the time the original 13 started to become the 49, but I suppose there were people who suggested at that time that we take all of these vast territories not included in the 13 and make them States simultaneously. I do not know.

But I think we might have a great deal of difficulty if we tried to sweep up all of the islands in the Pacific and make them one State.

Mr. POAGE. Mr. Chairman, may I inquire what difficulty would confront us? I cannot see any.

Mr. O'BRIEN. A little practical difficulty in the first place. I think it would multiply the opposition to statehood.

I will yield at this time to Mr. Aspinall who wants to point out something in connection with Guam.

Mr. ASPINALL. Not especially Guam.

Guam at the present time, of course, is an area where citizens of Guam are full citizens of the United States, and their Government operates as an unincorporated territory. But at the present time it is a military base more than anything else and will continue that way for some time.

But as far as Samoa is concerned, American Samoa came to us after the Spanish American War because of the value of the harbor at Pago Pago.

The people of American Samoa are not even ready to consider statehood. I was the last Member of Congress, so far as I know, to be in American Samoa. That was in 1954.

There is a possibility that some of these days New Zealand, having control of Western Samoa, that American Samoa might be relinquished to their brothers of Western Samoa because of our inability to handle them as my colleague would have them handled.

They are not citizens, they are nationals. It is true some of them have served in our Armed Forces. And they make good soldiers. When I went to Samoa in 1954 I took 17 members of the military from Hawaii down to Samoa. They had not been home for a visit, some of them, for 4½ years, because of the lack of transportation into that area.

As far as the Trust Territory is concerned—and I refer to that great area as far distant from one part to the other part as it is from Maine to California, Kwajalein, Yap, Truk, and all of those islands in between—we have no right to even think at this time of giving them statehood because they are operated under a mandate coming from the United Nations.

Mr. POAGE. I understand that. I did not suggest you incorporate the Trust Territory.

Mr. ASPINALL. Let me suggest to my friend, that I would be the last one in the world to think that American Samoa at any time should ever come in as a single State. I would be the last one in the world to think that Guam should ever come in as a single State. I would be the last one at this time to even think that the Virgin Islands should come in as a State. I would be the last one to even contemplate statehood as such for Puerto Rico at the present time, because there are many problems that have to be solved in those areas before we begin to think about statehood.

But here we have an area that came to us by mutual agreement, and after it came to us we made it an area which has had the right to look forward to the status of statehood. That is all we are doing as far as Hawaii is concerned. The question now is, Are they ready?

I think my colleague from Hawaii, Delegate Burns, who is more familiar perhaps with Guam than any of the rest of us, would substantiate what I have just said.

Mr. BURNS. Yes.

Mr. ASPINALL. May I say also—and I know how my colleague feels about it—there is no attempt on the part of anybody that I know of to just bring Hawaii into the United States of America in the relationship of full sisterhood in our Union just to get two more Senators. That just is not a part of it.

My feeling is that the people in Hawaii, if they are given this privilege, this benefit, will cooperate with us in the U.S. Senate and in the House of Representatives in the disposition of the matters that come before us just the same as Senators from Florida or Senators from Washington or Maine. They are not out to pit one part of this country against the other.

I think my colleague will know that I am pretty sympathetic toward the position which he has in his mind.

Mr. POAGE. Could I suggest to the chairman of the committee that, while he is out of the room, Mr. Westland asked me some questions that I think bear upon exactly the same thing you are bearing upon. I suggested them, and I think properly I should have done so earlier, that it may well be that there is no occasion to bring in Samoa and the Johnston Islands at the present time.

Mr. ASPINALL. Johnston Island is close to the trust territory.

Mr. POAGE. When did Johnston Island become part of the trust territory? We had it long before the war.

Mr. ASPINALL. We have never recognized it other than what might be—

Mr. POAGE. The Japanese never had it.

I agree thoroughly with the gentleman that Samoa may want to go to New Zealand. Personally, I have no objection if it does.

I said, also while you were out, that General de Gaulle had set a very good example in letting these people make their own decision, and if they want to go somewhere else, I would be perfectly glad to see Samoa go with New Zealand. But at least put in this bill authority so that these transactions can take place at a future time without us being subjected to the possibility of coming up here on it again.

While I know the gentleman from Colorado is not trying to pass the bill simply to get two votes into the Senate, I know there are people in the United States—and they are not a few—they are a great many in the United States—that are interested in this solely as to the effect it will have upon civil rights. And I know the gentleman knows that, and it is utterly futile to say it is not involved in this thing.

Mr. ASPINALL. This is the first time in 10 years of hearings—

Mr. POAGE. Certainly the gentleman knows most of them are not as frank as I am.

I voted for it and I may vote for it this time. You know there are plenty of people that are going to vote for this bill, and that is the reason some of them are going to do it.

Mr. ASPINALL. Let me finish. I was just going to say, after 10 years of study of this bill I have never had a single one approach me and state that he had such thoughts in his mind.

Mr. POAGE. Certainly not.

Mr. ASPINALL. Or never implied that such was in his mind as far as—

Mr. POAGE. But they have approached me and told me, not only that it was in their mind, but it was the determining factor.

Mr. ASPINALL. Proponents of the bill who actively support the bill in Congress have told you that?

Mr. POAGE. No. You said nobody had approached you with that in their mind. No, opponents of the bill, because they are frank to talk about what they are doing, whereas a lot of people will not

talk about what they are doing. Maybe they are smarter than we are. Maybe they are much more effective. Obviously they are. Maybe we ought to not talk either. Maybe we ought to stay under the table and refuse to bring out the real facts. But I know these are involved.

I hope it is not the determining factor. I think there are more important factors.

I think, as I stated, again while the gentleman was out, it is important that the United States show to the world that we are not maintaining colonies over the world, that we are abandoning this colonial system. I think that is one of the great benefits of this bill. I think it is one of the great talking points in favor of this bill.

But I know full well that this bill cannot be effective from that standpoint unless you include all of the people over which the United States has dominion and denies statehood status.

Mr. ASPINALL. Let me ask my friend, would you bring in Okinawa at the present time?

Mr. POAGE. No, because Okinawa is not the territory of the United States. It is just like talking about the trust islands. It does not belong to the United States.

Mr. ASPINALL. The only one that really belongs to the United States, outside of Guam, would be Samoa.

Mr. POAGE. All right. If only Samoa, just bring Guam in now and make provision that Samoa can either come in or get out of the United States. But make provision now.

All I am asking you is, do not leave this thing to be resolved at a future date. Do the thing now. Complete your job, gentlemen. That is all I am asking you. Do not bring us just a part of the job done. Bring us the full job. Everybody knows you have got to deal with Guam. Let's deal with it.

Mr. ASPINALL. Does my colleague know of any precedent in the admission of any State of the Union where, since the original 13 banded themselves together, there was any provision to bring in another area?

Mr. POAGE. No, sir. And can the gentleman show me where it has ever been done? That is exactly the point I made a while ago. I do not know there is any provision it cannot be done but I know from history that it has not been done.

Can the gentleman cite to me one example of where the United States has either increased or decreased the size or area of any State in the United States except the grasping by power, sheer power, taking away from the State of Virginia half of her territory?

Mr. ASPINALL. That was done, as my friend knows, under the emotions of war.

Mr. POAGE. Certainly it was.

Mr. ASPINALL. An entirely different reason.

My friend also knows in the great State of Texas there is a provision that Texas could divide, if the Congress was willing, and come up with from one to five different States.

Mr. POAGE. Wait, wait. I do not not know that. I always had been taught that and I had believed that, and I thought that was true, because it is perfectly true that the Congress of the United States agreed

to that. But the Congress of the United States also made a bunch of other agreements at the same time about our public lands and repudiated them. The Supreme Court of the United States held we did not have any agreement. So I do not suppose we have got any agreement on that either.

I suppose that, if the Court decision as to the tidelands is valid, the same decision is also valid as to that part of the agreement. I do not know why that part of the agreement should be sacred and the other part should be ignored.

Mr. ASPINALL. Of course, my friend will agree with me that the question of tidelands was a debatable question. I do not know whether or not we decided that correctly when we passed the bill. I perhaps have some doubts as to the rights that were and the rights that were not involved.

But, my friend, outside of the so-called tidelands dispute, Texas owns all of its public lands except those which it has seen fit to place under the jurisdiction of the Federal Government.

Mr. POAGE. That is right, and we are the only State in the Union that ever paid our preexisting debt, too. The Federal Government paid all the rest of them.

Mr. ASPINALL. I am very friendly to Texas. I am very friendly to them and consider it a great part of the Union.

But I still would like to have the precedent—and there is none to refer to at this time—where peoples who might want to come into the relationship of statehood with an area that is being considered at the present time as a distinct and single area, a single unit for statehood classification.

Mr. POAGE. I know no reason why Guam should not come in at the present time. But the committee members are unquestionably better informed on that than I am. If there is any reason why it should not be included as a county at the present time, then at least make provision for inclusion at a future date.

Mr. ROGERS. Will the gentleman yield?

Mr. ASPINALL. Surely.

Mr. ROGERS. Speaking of the lack of precedent, we are moving in a direction here, in admitting Hawaii to statehood, that has no precedent whatsoever.

Mr. POAGE. That is correct.

Mr. ROGERS. I say "we are." The people who are fixing to make it a State.

The precedent is to take a Territory in as a part of the United States that is separated by land and water over which we do not have exclusive jurisdiction, a place that is itself divided into eight parts, separated by the high seas, over which we do not have exclusive jurisdiction.

It has never been done before in the history of this country.

Mr. WESTLAND. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. WESTLAND. The gentleman probably doesn't know there is an area called Point Roberts which happens to be in my district and the only way to get to it is either to go by water or else through Canada. And generally you have to go through Canada not once, but twice, through customs to get to it. Perhaps it is a rather small precedent.

Mr. ROGERS. It is not a State.

Mr. WESTLAND. It is part of the State of Washington.

Mr. ROGERS. But it is not a State.

Mr. WESTLAND. It is part of the State of Washington.

Mr. ROGERS. The major body of that State is tied on.

Mr. O'BRIEN. Thank you very much.

Mr. BURNS. Mr. Chairman, I wanted to ask the gentleman one question, if I might.

Mr. O'BRIEN. Surely.

Mr. BURNS. I do not know whether the gentleman from Texas remembers that back a few years an effort was made to include the island of Palmyra in Hawaii, and because of that inclusion Hawaii did not pass. As a matter of fact, it did not get reported out of the committee.

Now in the gentleman's desire to bring self-government to the people of Hawaii, in which he believes very deeply—and I want to acknowledge that and to thank him for it—we would not want to prejudice the bill by adding some of these other things.

Mr. POAGE. I would not want to prejudice your bill. But I am not promising to vote for it.

Mr. BURNS. I know, but you will be fair.

Mr. POAGE. I do not want to prejudice your bill. I think it is a much better bill if it makes provisions to settle this thing rather than to hold out prospects that 5 years from now we will go through the same thing again.

Mr. BURNS. It will be a little longer than 5 years. But I wanted to point out it did happen before. There was an effort to include some of the other islands in Hawaii and because of that the bill died.

Mr. POAGE. Where were they made?

Mr. BURNS. In the Congress. It died in the committee in the Senate.

Mr. POAGE. They were not made on the floor of the House.

Mr. BURNS. No. It was in the bill in the committee. I wanted to point out what happened. I changed it in the bill in 1957 when I came in because of that, in agreement with others, and left it out.

Mr. POAGE. What was the objection there?

Mr. BURNS. Eight hundred miles of ocean between the various parts of the State.

Mr. POAGE. What is the status of Palmyra Island? I thought it was British.

Mr. BURNS. It is a possession of the United States.

Mr. POAGE. I thought it was British. Was there a dispute about the ownership?

Mr. BURNS. No, sir.

Mr. O'BRIEN. Are there any other questions?

Mr. ROGERS. Mr. Chairman, I do want to ask one or two questions. I think they are very important in view of the matter brought up by Mr. Poage.

Mr. Poage, you heard the argument that, if we do not let Hawaii in, we are forcing the people to remain in the status of second class citizenship, have you not?

Mr. POAGE. I have heard that stated.

Mr. ROGERS. If we let Hawaii in and yield to that argument, then we are admitting that the people who live on these other islands that you tell about are in second or third class citizenship and are going

to remain that way because there is no door provided for them to come in as a State in the Pacific. Is that right?

Mr. POAGE. I think that is exactly true, and I think it puts us in a terribly bad position in the eyes of the rest of the world.

I happened to visit, as the gentleman from the Panhandle did, some of the so-called less-privileged countries of the world this last fall and I think that we all recognize the tide of nationalism is running strong, and, as a corollary, the tide of anticolonialism; that the people of the world have been led to believe, whether rightly or wrongly—and I am inclined to believe it is rightly—that people ought not to be held as possessions of anybody, that people ought not to be held as property rights of any nation, no matter how great they might be.

But if we continue to hold certain islands, no matter how small, Palmyra or anybody else, if we continue to hold a half a dozen people out here as the slaves, as the property of the United States, we are subject to exactly the same kind of criticism being heaped so generously upon so-called colonial powers of Europe.

Mr. ROGERS. That is exactly what happened when they told us in this country a long time ago we could not be half free and half slave. If we follow the policies that some say we are following, we are adopting the policy insofar as the Pacific is concerned that these people in Hawaii are going to be free and the others are going to be slaves?

Mr. POAGE. That is right.

Mr. ROGERS. If you want to follow that argument out.

Mr. O'BRIEN. Will the gentleman yield?

Mr. ROGERS. Just a minute.

Now the argument has been advanced so many times with regard to Hawaii that it is an incorporated Territory. Now is there any difference, in your opinion, Mr. Poage, in a human being whether he lives in an incorporated city or lives out in the country?

Mr. POAGE. No, I do not think any great nation has the power to grab him and call him their property simply because he does not happen to be an incorporated territory, when it is solely within the power of that great nation to determine whether it is an incorporated or unincorporated territory.

Mr. ROGERS. And the point you make so far as our moving into this new political area—and that is what it is, a brandnew political area—if we do not take in these other islands in one State with Hawaii or make provision to take them in on an equal status, the propaganda machine of our enemies is not going to stop any more than it stopped when we granted the Philippines freedom. Is that right?

Mr. POAGE. It certainly did not stop there and it will not stop here. I realize we are not going to stop it no matter what you do. But I think you can take a great deal of their propaganda away from them if you will simply make provision to include these other areas and peoples.

Mr. O'BRIEN. Will the gentleman yield?

Mr. ROGERS. Yes, I will yield now.

Mr. O'BRIEN. The gentleman leaves me somewhat confused. Are we to understand that, if this committee and Congress sweeps up all these islands in the Pacific and ties them onto the Hawaiian kite, the gentleman from Texas will support the bill?

Mr. ROGERS. I would want a few days to think about it. [Laughter.]

Mr. POAGE. I just might do that, Mr. Chairman.

Mr. O'BRIEN. I think, Mr. Poage, you might. But I was just curious.

Mr. ROGERS. I would want to see the bill after it was prepared.

But I think the point Mr. Poage is making is exactly right; that we must assume the premise, however, which I do not assume in the first instance, that these people are second-class citizens. As a matter of fact, I think they have a great deal more privileges in many instances than we in this country do, especially in regard to that differential in pay of the Federal employees. The people in the Territory want to get statehood but they do not want to give up any of the fringe benefits they got by virtue of having not been a State.

If we are going to do this—I am against doing any of it. But if we are going to do it, we might as well go whole hog or none. There is not any use in doing a half-way job. That is all, Mr. Chairman.

Mr. O'BRIEN. Thank you very much, Mr. Poage.

Mr. POAGE. Thank you, Mr. O'Brien.

Mr. O'BRIEN. I have here a letter to the gentleman from Colorado on the question of statehood. I think it is a practice where we get letters to make them a part of the file. Is that correct, Mr. Aspinall?

Mr. ASPINALL. According to whether or not anybody wishes to make them part of the record.

Mr. Chairman, I believe that this letter from Mr. Hamilton A. Long is of sufficient importance that it should be made part of the record at this time.

Mr. ROGERS. Reserving the right to object, may I see it?

Mr. O'BRIEN. Surely.

Mr. MORRIS. Mr. Chairman, I do not have a question. I have a statement from Congressman Dulski of the 41st District of New York which, if there is no objection, I would like to have inserted in the record.

Mr. O'BRIEN. Is that in favor of statehood?

Mr. MORRIS. Yes.

Mr. O'BRIEN. Without objection, it will be made a part of the record where we have statements from other Members of Congress.

Mr. ROGERS. I withdraw my reservation, Mr. Chairman.

Mr. O'BRIEN. Without objection, the letter of Hamilton A. Long, New York City attorney, will be made a part of the record at this point.

(The letter follows:)

COLUMBIA UNIVERSITY CLUB,
New York, N.Y., January 25, 1959.

Subject: Hawaii statehood, opposed.

Hon. W. N. ASPINALL,
Chairman, House Insular Affairs Committee,
House Office Building, Washington, D.C.

DEAR CHAIRMAN ASPINALL: In lieu of a personal appearance to testify against the admission of Hawaii as a member of the United States, kindly include in your committee's record of hearings this statement by me.

The accompanying information will serve to identify me adequately for present purposes—a member of the New York Bar and writer on constitutional subjects, and so forth.

Of the points which might be urged against Hawaii's being made a State, I'll mention one only in order to keep this statement short. It is, however, of fundamental importance and should be decisive, in leading your committee to decide in the negative.

This is that, once the United States of America departs from the principle of limiting States to those situated on the continent of North America, then there

will be no fundamental line of demarcation to serve as a brake on admission of various other foreign territories from time—for instance, just to indicate possibilities, Puerto Rico, the Philippines, Cuba, at their own urgings if and when they might decide it to be to their advantage and in keeping with their people's wishes. Such indefinite expansion, even as a looming possibility, in the composition of the States composing the Union, would be of the essence of imperialism.

History proves that imperialism—notably indefinite expansion of territory constituting part of the homeland—has been the route to doom of great countries and peoples throughout the centuries; at least one of the major contributing factors. This is the very antithesis of traditional Americanism.

Such expansion of an imperialistic nature, over the decades and generations to come, cannot but aggravate the already acute condition confronting America's national defense program, with Soviet Russia possessing potential power dominance today over all Eurasia and vicinity, which commenced on V-E Day in essence and will continue for the foreseeable future because America has no power to alter this deplorable condition. Inclusion of offshore areas as integral parts of the United States of America cannot benefit, but will injure, sound national defense in various ways—the more included the worse the injury.

Your committee's decision in this instance will make or break the situation constituting precedent in this connection; hence the great importance of this pending decision—on the basis of principle apart entirely from the meritorious character of the people of Hawaii and sentimental considerations. Hawaii's admission should be denied.

Sincerely yours,

HAMILTON A. LONG.

Mr. MCGINLEY. Mr. Chairman, I do not have it with me at the time, but I would like to offer a resolution in favor of statehood that was passed by my State legislature as part of the record; if the chairman feels it advisable to put such in the record.

Mr. O'BRIEN. May I suggest that any Member of Congress who desires to make a statement for or against statehood shall have the privilege within a reasonable time to submit it for the record. And if there is no objection, any member of this committee or any Member of Congress may submit a resolution which has been adopted by their State legislature for or against statehood.

Are there any other witnesses here in opposition to statehood?

Mr. TAYLOR. Mr. Chairman, Mrs. Fair would like to testify this morning.

Mr. O'BRIEN. Mrs. Fair, would you give your full name?

STATEMENT OF MRS. JOSEPH FAIR, PHILADELPHIA, PA.

Mrs. FAIR. I am Mrs. Joseph Fair from Philadelphia, Pa., 46th district.

I do not represent anyone in particular but myself, and for that particular reason I decided last night, after hearing a late newscast that this was the first day to give opposition to the particular bill, to do so.

Personally I am not in favor of statehood for Hawaii for several reasons. I would like to take this opportunity to enumerate them.

First of all, I feel as though these particular islands, which we know as Hawaii, are right now of particular interest to us because of the admission of Alaska as the 49th State. I feel as though we feel because this has happened Hawaii should also have the same privilege.

I do not know whether this is politically inspired by 1 of the 2 parties or not—the feeling if Alaska is admitted, surely Hawaii.

I feel as though statehood is not the only alternative for self-government in the Hawaiian Islands. I feel that the Hawaiians them-

selves should have an opportunity before this bill has been presented to decide whether or not they prefer statehood to independence of government.

I feel that there is a bit of nationalism that is in evidence in these islands, and for that reason I think that this bill should first be more or less put off until this particular aspect is presented to the peoples themselves.

Secondly, I feel that, if these islands should be presented as the 50th State, it makes us as a United States, appear that we are trying to ask for a geographical absurdity. There is so much distance between the continental United States and the islands, which we have no control over, and for that reason I feel as though there are certain aspects which would take place in the islands, such as as an appeal within the courts there to the U.S. court of appeals, or to the U.S. Supreme Court. This particular type of appeal would make it almost impossible for the persons in question to come to Washington, D.C., in order to see that justice may be done.

Another reason why I object to the admission would be that this puts an international label upon the United States as an imperialistic nation. This is a new way of acquiring territory.

We know some years ago there was probably within most of our thinking that the sun never set on the British Empire. Britain, of course, is our mother country. For that reason it looks as though the sins of the mother, or the sins of the parents, are being inherited by the offspring.

Because this has happened some years ago, it is now being denied because these territories that Britain has acquired are eventually gaining independence. And I feel as though we are following that same course of action, causing peoples of our colonial territories to be unhappy and more or less giving the United States the particular label as a colonial and imperialistic type of nation.

That is another reason I feel that Hawaii should not have statehood at this time. Not only at this time, but I do not feel it should ever have statehood. I feel that Hawaii should be an independent nation like the Philippine Islands. I believe they were our territory at one time.

Another reason I feel that the Hawaiian Islands should not be a State, or the 50th State, is because there should be an amendment to the Constitution that should put a limit on the number of States that are under the jurisdiction of the U.S. Government. I feel as though it should be limited to the continental United States.

In this particular way, if it is not, we are allowing ourselves to make even West Germany one of the States. I think it is similarly true, there is so much political unrest at this time, it is not a good time to be deciding on this particular issue.

Another reason I feel that we should not let this be another State is because this expresses favoritism. I think the witness before me sort of expressed the same feeling that I had on this idea of admitting Hawaii and leaving out other territories.

I think there should be a proposal made whereby, maybe on a yearly basis or some particular type of planning—whereby these particular types of territories could be gradually given a progressive plan that would insure independence of government.

Another thing that I think is very important in considering this bill is that we seem to put a great premium on American citizenship. It is a good thing. We probably enjoy more privileges in the United States than any other person in the world under any form of government. But I feel as though we should not fall into the sin that was so commonly attributed to Hitler's Germany: to be an Aryan or to be a German was of unusual importance to them. It gives us another label of being the superior race or, we will put it, superior citizenship. And I do not think we want that to permeate our thinking in the international situation.

We do not want to do that because we have just fought a war where many of us have lost our dear ones, in order to make the world safe for democracy. And if we should be so careless now as to fall into the same rut which we as a people fought against—we will say the very unhappy situation in Europe and in the Pacific—to insure these rights, then I think that we should not be guilty of these particular errors.

Another reason I feel I object to this is because I feel that the Hawaiians themselves are a group of people who are not just limited to the native population. There are many people there from the other Pacific islands, as well as from the Orient, and their cultural aspects, or cultural traditions are so different from ours that there would be a conflicting opinion of preserving the English type of tradition over and above theirs.

We feel as though we all like to have public approval of what we do. And if at Christmastime it happens that we all use Santa Claus and they do not feel it is part of their way of life—maybe it is the religious aspect—we are adding an extra conflict into our national situation within the States.

I feel that, on the basis of what I have said, which is just my own personal opinion, we should take great consideration on this particular bill because once it is passed, we have set up a pattern that cannot be undone unless by majority rule of the States or in the House that this particular pattern will be more or less erased from the books; that we do not want to start a new type of situation in the world in which we can just put our brand on any particular country or any particular territory that may be important to us because of a communistic menace today.

I feel as though within a few years from now, maybe a decade or maybe 20 years, communism will not have the same reception that it has today. That is one of the ways in which I feel we have to combat communism within the islands. I do not think that is the best means of deciding at this particular time to make Hawaii the 50th State of the Union.

I think that covers what I have to say.

Mr. O'BRIEN. Thank you very much, Mrs. Fair, for the views you expressed as an individual citizen and for being interested in these matters enough to come and testify before a congressional committee. I want to commend you for it.

I do want to point out, however, that the people of Hawaii are citizens now. There is no Nordic complex involved here; that the residents of Hawaii, if they so desire, could move to the mainland and run for President of the United States, although, lacking statehood, they cannot vote for the President of the United States. So they are

citizens now. They are an integral part of the United States. We are not dealing now with some foreign colony.

As for the question of independence, they have had repeated votes over there. In fact, in the last election the able gentleman who was carrying the banner of the Commonwealth Party I believe got about 1 percent of the votes. There is not any question in the minds of the committee, even the opponents of statehood, I am sure, that the people of Hawaii want statehood.

But, nevertheless, I want to commend you again. I think it is a very fine thing when a citizen of our country feels strongly about something and comes down here and testifies.

Mrs. FAIR. May I ask you a question? I wanted to find out if the Hawaiians had ever been allowed to determine whether or not they would want to be an independent nation rather than an independent State?

Mr. O'BRIEN. May I put it this way: They voted repeatedly on matters which led inevitably to statehood—in other words, the departure from independence, and the vote in each instance has been overwhelming.

Anyone desiring independence, while they did not have that straight question, would vote against statehood or would vote against adopting a constitution which would lead to statehood. I would be very, very much surprised if more than a handful of people in the Hawaiian Islands would favor independence. I think they might regard it with horror. I do not know.

One of these bills that we have before us has a built-in plebiscite. Personally I do not think that is necessary, because last year when we were considering the Alaska bill there was a very serious question in this committee and on the floor of whether the people of Alaska actually wanted statehood.

So we put in a provision that before it could become effective they must vote affirmatively to accept statehood. When the votes were counted, it was about 5 to 1 for statehood.

I think it would be a larger margin in Hawaii if there were a plebiscite.

Mr. BURNS. May I, for the information of the lady, point out that in 1893 a provisional government conducted negotiations with the Harrison administration for the admission of Hawaii into the Union or as a part of the United States; but in 1898 a treaty was made between the United States and the Republic of Hawaii, an actual free and independent nation recognized by the sovereign nations of the world.

The treaty was consummated between the administration of President McKinley and the people of the Republic of Hawaii, and as a result of that the Newlands resolution was adopted by the Congress of the United States, annexing Hawaii in accordance with the terms of this treaty.

So that you had a free nation come in and ask and be accepted as a part of the United States.

Mrs. FAIR. I know there are a number of U.S. people who were born here and have gone over there to live. Is there any difference made between the actual people of English or European ancestry in Hawaii voting in favor of this and between those who are actually of Hawaiian or Asiatic ancestors?

Mr. BURNS. Absolutely none.

Mr. O'BRIEN. Are there any further questions?

Mr. ROGERS. Let me ask the lady one question. You say you live in Philadelphia?

Mrs. FAIR. Yes.

Mr. ROGERS. How long have you lived there?

Mrs. FAIR. For a number of years, since I was a child, off and on.

Mr. ROGERS. How did you know where to come to testify? You say you heard it over the radio in Philadelphia?

Mrs. FAIR. I heard it over the radio last night. I am here in the District for a few weeks and I heard it over the radio last night late, about 2 o'clock this morning. I have never had an opportunity actually to express myself on this other than in private groups, and so, for that particular reason, I thought I would wait until the House telephone operator got on duty so she could direct me where to go.

Mr. ROGERS. So you called the operator and asked her?

Mrs. FAIR. Yes. So she told me to talk to Dr. Taylor, I believe it is. As a result of my conversation with him, here I am.

Mr. ROGERS. In accordance with what the chairman said, I think you should be commended. I have had some people complain to me that the statements about hearings being held never tell a person where to go or how to find out where to appear and many times citizens are reluctant to push their way in. I think it is very interesting for you to call the operator and have her tell you what to do.

Mr. O'BRIEN. If the gentleman will yield, it demonstrates the ingenuity of the people from Pennsylvania.

Mr. ASPINALL. Mr. Chairman, I would like to ask a couple of questions because the witness has made a very clear and very distinct statement.

You are a citizen of Philadelphia and of the United States; is that correct?

Mrs. FAIR. That is right.

Mr. ASPINALL. Let me ask you, where did you get your interest in the matter of statehood for Hawaii and the interest that you have in the people of Hawaii. How did that come about?

Mrs. FAIR. I think it started long before I was 21, that I could vote.

Mr. ASPINALL. I may say you do not look any older than that today.

Mrs. FAIR. I am 34.

When I left Philadelphia, and I lived in Washington for awhile, I became very impressed with the fact that you could not vote here because, from my 21st birthday, I had always voted in Philadelphia, and when I went out from the convent I did vote.

Coming here, I found that was not a privilege of the residents of the District of Columbia. But I understand Hawaii has that privilege, do they not, that they can vote for the President of the United States?

Mr. ASPINALL. No, they cannot. That is one reason for this bill.

Mrs. FAIR. I know there were certain aspects of citizenship which I probably have enjoyed, such as voting locally and in the national elections. For that particular reason I think I worked with the polls in Philadelphia and I have always really been interested in politics and labor unions, such things like that.

Mr. ASPINALL. Because of one statement that you made about the matter of nationalism and its effect, and the inference or implication

which I received and which I think may be wrong, I want to clear it up in my own mind.

As far as citizenship in the United States or so-called world citizenship, your interest is in United States citizenship as part of world citizenship, rather than world citizenship as opposed to United States citizenship? Do you understand what I mean?

Mrs. FAIR. Yes, I believe I do. I feel world citizenship is really not of my interest. I do not think that world citizenship is the issue right now. I think United States citizenship is not really a part of world citizenship at this particular time because of the fact that the international organizations, as yet, do not represent the world, but more or less a part of the world.

I feel as though until each country has had the opportunity to be recognized as a nation or not, we actually cannot say we have world citizenship. But I was thinking of United States citizenship more or less from a national point of view.

I do not know if that answers your question or not.

Mr. ASPINALL. Yes, I think so.

Mr. RIVERS. Would the gentleman yield to me?

Mr. ASPINALL. Yes.

Mr. RIVERS. I wanted to say that Hawaii was incorporated into the Union when it was granted an organic act about 1900. Is that right?

Mr. BURNS. Right.

Mr. RIVERS. And that the Supreme Court has held that an organized Territory, once brought into the Union as an organized Territory, becomes inseparable, incorporated into the Union; and that there is no power in our Government to give away or to cede it to another country, or to grant it independence.

The Philippines had been just a possession, never incorporated into the Union. So we were at liberty to give the Philippines independence, but Hawaii can no more be severed from the Union now that it has been incorporated into the Union all of these years than the Southern States could secede.

Mrs. FAIR. In other words, they really do not have the alternative as I proposed?

Mr. RIVERS. That is right.

Mrs. FAIR. Of being either an independent nation or one of the United States?

Mr. RIVERS. That is correct.

Mrs. FAIR. So just one alternative, continuing the same status quo or being one of the United States?

Mr. RIVERS. That is right. They must remain, you might say, a colonial area or be given full-fledged participation in the Union. And that is what the Hawaiians want.

Mrs. FAIR. I see.

Mr. O'BRIEN. Thank you very much, Mrs. Fair.

Are there any other witnesses in opposition to the bill?

I might say, before closing the hearing, Mr. Lorrin Thurston, who is the chairman of the Hawaiian Statehood Commission, has been faithfully in attendance at all of these hearings. He has not testified, I think, largely because he wanted to expedite the matter, but he played a very important part in rounding up a number of statements that we have in the record. We are very grateful to you, Mr. Thurston.

Mr. ASPINALL. Mr. Chairman?

Mr. O'BRIEN. Mr. Aspinall.

Mr. ASPINALL. Do you know of any person, no matter where that person is residing, who desires to appear here in opposition?

Mr. O'BRIEN. Mr. Chairman, I have received no communications in writing or by telephone beyond those that we already have in the record. I have received from no member of the committee the name of anyone who wants to testify in opposition who has not already been heard.

There is no desire, first, on the part of the committee to shut off the opposition or to give it a limited time. We heard all of the witnesses here who wanted to be heard. If it so happens that the great volume is in favor of statehood, that is not the fault of the committee. We have been here as a forum all week, ready to hear anyone. So we must conclude that all of the people who wanted to be heard in opposition have been heard. Certainly no one has been refused.

Mr. ASPINALL. Mr. Chairman, may I ask one more question of Mr. Thurston?

Mr. O'BRIEN. Yes.

Mr. ASPINALL. Do you know of any new material, Mr. Thurston, either for or against statehood, which has not been presented to this committee, which should be presented to us before we adjourn the hearings on this bill?

STATEMENT OF LORRIN THURSTON, CHAIRMAN, HAWAII STATEHOOD COMMISSION

Mr. THURSTON. I do not, Mr. Aspinall.

I would like to say, Mr. O'Brien, we greatly appreciate the thoroughness with which the committee has investigated the cause of statehood for Hawaii to the completion of the record which will, I believe, run close to 7,000 pages. To the best of my knowledge, every subject possible relative to statehood for Hawaii has been included in the record.

We are deeply grateful for the opposition which has been brought up which has helped to bring more of the truth onto the record.

For me to attempt to name any of the hundreds of people in the House and in the Senate and in the private citizenry who have contributed to the cause of statehood would be utterly impossible for fear of overlooking one.

We believe the record for Hawaii is complete. We stand ready, if any questions do arise, to do our best to furnish you with truthful answers, should they not be in the record at the present time.

Mr. O'BRIEN. Thank you.

Mr. SAYLOR. Mr. Chairman, I have a unanimous consent request that the former hearings held by this committee and all of the hearings held by the Senate committee in the matter of Hawaiian statehood be made a part of the files in this bill.

Mr. O'BRIEN. Without objection, it is so ordered.

Mr. SAYLOR. I feel, Mr. Chairman, that we have under your guidance and jurisdiction given an opportunity to all the folks in America who are interested in the cause of statehood an ample opportunity to appear and be heard.

As you have stated, if the record indicates an overwhelming volume of testimony in favor of statehood, it merely reflects the thinking of the American people and the polls that have been taken from time to

time of the American people who are overwhelmingly in favor of statehood for the Territory of Hawaii.

I feel that not only the people of the Territory of Hawaii but the people of the United States are deeply indebted to you for the fair manner in which you have conducted these hearings, giving all persons the opportunity to appear and testify.

I look forward to your successful carrying on of the fight for Hawaii statehood on the floor, just as you so masterfully did in the cause of Alaska last year.

Mr. O'BRIEN. I am very grateful to the gentleman from Pennsylvania. I think he modestly underplays his own part in that great endeavor and the one that lies ahead.

I would like to say this: I am also very grateful to the members of this committee who were opposed to statehood. They have asked in the last few days some rather sharp pointed questions, but they have not attempted to filibuster, if I may use that word. They have co-operated in progressing this bill to the point where we can send it on quickly to a larger forum.

It is the hope, I am sure, of everyone on this committee that we will have a decision one way or the other of whether Hawaii would be a State before the end of the first session of the 86th Congress.

Tomorrow morning at 9:45 we will start marking up the bill. I would emphasize to the members of the committee that it is most important that we have a quorum here during that procedure. That quorum, I believe, is 16 members.

I have been impressed by the fact, throughout most of these hearings we have had a quorum of the full committee. I especially want to commend the interest of the new members of the committee. I know they have many, many problems at the beginning of a session in getting around and getting acquainted with their various staffs. I personally appreciate very deeply their attendance here.

I hope that when the bill gets to the floor they will put their modesty behind them and join in the fight; and it will be a fight, I am very sure.

So the hearings are formally ended and the committee will meet at 9:45 tomorrow morning to start marking up the bill.

(Whereupon, at 11:50 a.m., the full committee was adjourned.)

HAWAII STATEHOOD

WEDNESDAY, FEBRUARY 4, 1959

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met, subsequent to executive session, in the committee room, New House Office Building, Hon. Leo W. O'Brien, acting chairman of the committee, presiding.

Mr. O'BRIEN. The gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I move favorable passage of H.R. 50, as amended.

Mr. EDMONDSON. Second the motion.

Mr. O'BRIEN. The gentleman from Texas.

Mr. ROGERS. Mr. Chairman, I move that H.R. 50 be sent to the Subcommittee on Territorial and Insular Affairs for more complete hearings and further consideration.

Mr. O'BRIEN. Does the gentleman from Texas offer that as an amendment to the motion by the gentleman from Colorado.

Mr. ROGERS. No.

Mr. O'BRIEN. You have heard the motion by the gentleman from Texas that H.R. 50 be submitted to the Subcommittee on Territorial and Insular Affairs for further consideration.

Mr. MORRIS. Mr. Chairman, a parliamentary inquiry. Do we not have two motions here?

Mr. O'BRIEN. This is a substitute, a priority motion.

Mr. ASPINALL. As a matter of parliamentary practice, the motion by the gentleman from Texas under the rules of the House has priority. It is the motion before the committee.

Mr. ROGERS. In order to qualify, do I have to be opposed to the bill? [Laughter.]

Mr. O'BRIEN. You have heard the motion by the gentleman from Texas.

Mr. ROGERS. Mr. Chairman, I ask for a rollcall.

Mr. O'BRIEN. The gentleman has demanded the yeas and nays. All those in favor of the motion of the gentleman from Texas will vote "aye" and those opposed will vote "no."

The clerk will call the roll.

Mrs. ARNOLD. Mr. Anderson?

Mr. ULLMAN. No by proxy.

Mrs. ARNOLD. Mr. Aspinall?

Mr. ASPINALL. No.

Mrs. ARNOLD. Mr. Baring?

Mr. BARING. No.

Mrs. ARNOLD. Mr. Berry?

Mr. SAYLOR. No by proxy.
Mrs. ARNOLD. Mr. Burdick?
Mr. O'BRIEN. No by proxy.
Mrs. ARNOLD. Mr. Chenoweth?
Mr. CHENOWETH. No.
Mrs. ARNOLD. Mr. Collier?
Mr. COLLIER. No.
Mrs. ARNOLD. Mr. Cunningham?
Mr. CUNNINGHAM. Aye.
Mrs. ARNOLD. Mr. Edmondson?
Mr. EDMONDSON. No.
Mrs. ARNOLD. Mr. Haley?
Mr. HALEY. Aye.
Mrs. ARNOLD. Mr. Hosmer?
(No response.)
Mrs. ARNOLD. Mr. Langen?
Mr. LANGEN. Aye.
Mrs. ARNOLD. Mr. McGinley?
Mr. MCGINLEY. Aye.
Mrs. ARNOLD. Mr. Morris?
Mr. MORRIS. No.
Mrs. ARNOLD. Mrs. Pfof?
Mrs. PFOST. No.
Mrs. ARNOLD. Mr. Powell?
Mr. POWELL. No.
Mrs. ARNOLD. Mr. Rivers?
Mr. RIVERS. No.
Mrs. ARNOLD. Mr. Rogers?
Mr. ROGERS. Aye.
Mrs. ARNOLD. Mr. Rutherford?
Mr. RUTHERFORD. Aye.
Mrs. ARNOLD. Mr. Saund?
(No response.)
Mrs. ARNOLD. Mr. Saylor?
Mr. SAYLOR. No.
Mrs. ARNOLD. Mrs. Simpson?
Mrs. SIMPSON. No.
Mrs. ARNOLD. Mr. Sisk?
Mr. SISK. No.
Mrs. ARNOLD. Mr. Udall?
(No response.)
Mrs. ARNOLD. Mr. Ullman?
Mr. ULLMAN. No.
Mrs. ARNOLD. Mr. Westland?
(No response.)
Mrs. ARNOLD. Mr. Wharton?
Mr. WHARTON. Aye.
Mrs. ARNOLD. Mr. Wilson.
Mr. WILSON. No.
Mrs. ARNOLD. Mr. Withrow?
Mr. SAYLOR. No by proxy, and Mr. Westland votes "no" by proxy.
Mr. O'BRIEN. May I have my name called please?
Mrs. ARNOLD. Mr. O'Brien?
Mr. O'BRIEN. No.

Mr. ROGERS. Mr. Chairman, before the vote is announced I would like to examine the proxies.

Mr. O'BRIEN. On this rollcall, the yeas are 6, the nays are 21, 3 not voting. The motion by the gentleman from Texas is not agreed to.

Mr. ASPINALL. Mr. Chairman, I request a rollcall on my motion.

Mr. O'BRIEN. The gentleman from Colorado moves that the bill as amended be reported favorably and requests the yeas and nays. The clerk will call the roll.

Mrs. ARNOLD. Mr. Anderson?

Mr. ULLMAN. Aye by proxy.

Mrs. ARNOLD. Mr. Aspinall?

Mr. ASPINALL. Aye.

Mrs. ARNOLD. Mr. Baring?

Mr. BARING. Aye.

Mrs. ARNOLD. Mr. Berry?

Mr. SAYLOR. Aye by proxy.

Mrs. ARNOLD. Mr. Burdick?

Mr. O'BRIEN. Aye by proxy.

Mrs. ARNOLD. Mr. Chenoweth?

Mr. CHENOWETH. Aye.

Mrs. ARNOLD. Mr. Collier?

Mr. COLLIER. Aye.

Mrs. ARNOLD. Mr. Cunningham?

Mr. CUNNINGHAM. Aye.

Mrs. ARNOLD. Mr. Edmondson?

Mr. EDMONDSON. Aye.

Mrs. ARNOLD. Mr. Haley?

Mr. HALEY. No.

Mrs. ARNOLD. Mr. Hosmer?

Mr. SAYLOR. Aye by proxy.

Mrs. ARNOLD. Mr. Langen?

Mr. LANGEN. Aye.

Mrs. ARNOLD. Mr. McGinley?

Mr. MCGINLEY. Aye.

Mrs. ARNOLD. Mr. Morris?

Mr. MORRIS. Aye.

Mrs. ARNOLD. Mrs. Pfost?

Mrs. PFOST. Aye.

Mrs. ARNOLD. Mr. Powell?

Mr. POWELL. Aye.

Mrs. ARNOLD. Mr. Rivers?

Mr. RIVERS. Aye.

Mrs. ARNOLD. Mr. Rogers?

Mr. ROGERS. No.

Mrs. ARNOLD. Mr. Rutherford?

Mr. RUTHERFORD. No.

Mrs. ARNOLD. Mr. Saund?

(No response.)

Mrs. ARNOLD. Mr. Saylor?

Mr. SAYLOR. Aye.

Mrs. ARNOLD. Mrs. Simpson?

Mrs. SIMPSON. Aye.

Mrs. ARNOLD. Mr. Sisk?

Mr. SISK. Aye.

Mrs. ARNOLD. Mr. Udall?

Mr. ASPINALL. Aye by proxy.

Mrs. ARNOLD. Mr. Ullman?

Mr. ULLMAN. Aye.

Mrs. ARNOLD. Mr. Westland?

Mr. SAYLOR. Aye by proxy.

Mrs. ARNOLD. Mr. Wharton?

Mr. WHARTON. No.

Mrs. ARNOLD. Mr. Wilson?

Mr. WILSON. Aye.

Mrs. ARNOLD. Mr. Withrow?

Mr. SAYLOR. Aye by proxy.

Mr. O'BRIEN. May I have my name called please?

Mrs. ARNOLD. Mr. O'Brien?

Mr. O'BRIEN. Aye.

Mr. ANDERSON. Mr. Chairman, may I have my vote changed from "aye by proxy" to "aye by voice vote"?

Mr. O'BRIEN. The gentleman votes "aye."

Mr. HOSMER. Mr. Chairman, how I am recorded?

Mrs. ARNOLD. Mr. Hosmer is recorded as voting "aye by proxy."

Mr. HOSMER. I will vote "aye" myself.

Mr. BERRY. Mr. Chairman, how am I recorded?

Mrs. ARNOLD. Mr. Berry is recorded as voting "aye by proxy."

Mr. BERRY. I will vote "aye" myself.

Mr. O'BRIEN. On this rollcall the yeas are 25, the nays are 4, 1 not voting. The motion is agreed to.

Mr. ASPINALL. Mr. Chairman?

Mr. O'BRIEN. The gentleman from Colorado.

Mr. ASPINALL. I ask unanimous consent that a clean bill be introduced, sponsored by the gentleman from New York, Mr. O'Brien; by the gentleman from Pennsylvania, Mr. Saylor; and by the Delegate from Hawaii, Mr. Burns; that a report be written on the O'Brien bill with direct reference to the Saylor and Burns bills, and appropriate reference in the report be made to the bills introduced by Mr. Saylor and Mr. Burns and those who have introduced primary bills during this session of Congress.

Mr. O'BRIEN. You have heard the motion. Is there any discussion? It is a unanimous consent request.

Is there objection?

The Chair hears none and the request is granted.

I ask unanimous consent that the following bills be tabled: H.R. 324, H.R. 801, H.R. 954, H.R. 959, H.R. 4406, H.R. 1800, H.R. 1833, H.R. 1917, H.R. 1918, H.R. 2004, H.R. 2328, H.R. 2348, H.R. 2476, H.R. 2795, H.R. 3084, H.R. 3304, H.R. 3437, H.R. 3685, and H.R. 888.

Without objection, these several bills will be tabled.

Mr. ASPINALL. Mr. Chairman?

Mr. O'BRIEN. Mr. Aspinall.

(Discussion off the record.)

Mr. O'BRIEN. The Chair would like to make a short statement, knowing the members are curious, on what steps will be taken from now on. Of course we will have to play it by ear to a certain extent because we are moving into strange territory.

Personally I am confident that the bill will be placed in the main legislative stream today, will be passed, and passed quickly.

Personally I believe we have an excellent chance of getting a rule, which we were not able to get for Alaska. I hope so, because I have a high respect for the Committee on Rules, and I would hope they would give us the rule so we could move quickly and in a more orderly way than if we had to resort to the other method.

Nevertheless, there is a rule of reason, and we feel that, if it becomes apparent we are not going to get a rule or if it is going to be too long delayed, we will have to, under the authority given to us by the committee under the rules adopted at the beginning of the session, follow the procedure that we did with the Alaska bill. I hope that will not be necessary.

Personally I would hope—I am an optimist, I know—that we would be able to have a vote on the House floor on the Hawaii statehood bill by the Easter recess. If not by then, certainly immediately thereafter.

If that comes about and the vote is favorable, while we cannot and should not predict what might happen in the other body, I think it is obvious to all of us that would give the other body approximately 4 months remaining in this session to act upon the Hawaiian bill.

I personally am confident, as I said in the beginning, because of the overwhelming majority in both Houses favoring Hawaiian statehood, that Hawaii will be the 50th State before this session of the Congress ends.

Mr. ASPINALL. At the beginning of the consideration of this bill the chairman suggested that we would request the present acting chairman and the chairman of the Subcommittee on Territorial and Insular Affairs to write the report, see that it is filed. The Chair at this time suggests that a week is sufficient time in which to prepare the report, and that those who oppose the bill have until a week from today in order to get their report ready if they wish to file a minority report with the majority report.

Then the chairman of the full committee at that time will request a hearing before the Rules Committee, and from that time on we will proceed—the chairman is generally in agreement with the timetable that the acting chairman has stated.

Timing in consideration of legislation is oftentimes as important as the merits of the bill. We do not intend to jeopardize the passage of this bill by any ill timing that might be desired, that some people might wish. With the statement made by the acting chairman in which he has set the goal of those who support this bill, we will proceed as rapidly as possible.

Mr. O'BRIEN. May I say to the chairman of the full committee as I relinquish the gavel, our business having been completed, that I want to express my gratitude to you sir, for permitting me to preside over a matter which I believe will be historic.

As I have said repeatedly here, the very fact you did it is the measure of the man and indication of the deep kindness that he has at all times.

Mr. ASPINALL. Thank you.

Mr. ROGERS. Mr. Chairman, you were speaking of the rules. Is it the plan of the chairman to see that full and complete debate on this bill is provided for on the floor?

Mr. ASPINALL. Certainly.

Mr. ROGERS. Would that not be better insured if you went without a rule?

Mr. ASPINALL. May I reply to my colleague, we shall follow the rules of the House if it is possible to do so, and only use those unusual rules if it is absolutely necessary.

Mr. EDMONDSON. Will the chairman yield?

Mr. O'BRIEN. Yes.

Mr. EDMONDSON. While we were in executive session on this bill some very kind things were said about two of the principal architects of this bill and its forward movement, and I would like to take this opportunity while we are here in public hearing and on the record in public hearing to express my personal appreciation and admiration for the work done by the Delegate from Hawaii, Hon. John Burns, who has certainly demonstrated statesmanship and legislative ability in his handling of this bill, and to the gentleman who has presided over the hearings, who I think has won the esteem of all members of this committee for his fairness and for his great statesmanship.

I also think great credit is due to the ranking minority member, the gentleman from Pennsylvania, Mr. Saylor, for his constructive contributions throughout the consideration of this bill and for the great ability which he has brought to its consideration.

Mr. O'BRIEN. Will the gentleman from Oklahoma permit me to repeat something else said in executive session? I think we should pay tribute to the distinguished members of this committee who actually opposed statehood and voted against reporting this bill, who, in our marking-up of executive session contributed constructively to the building of a better bill. I think that is quite a thing for people who want to see the bill defeated but at the same time want to make sure that if we pass a bill it is the best possible bill. And the gentleman from Florida and the gentleman from Texas contributed substantially in that direction.

Mr. SAYLOR. Mr. Chairman?

Mr. O'BRIEN. Mr. Saylor.

Mr. SAYLOR. This is the third time that the chairman of our full committee, Mr. Aspinall, and I have sat in the House Committee on Interior and Insular Affairs and have seen the full committee report out a Hawaiian statehood bill. The first two times we were unsuccessful in our attempts to convince the other body that they should adopt our legislation, or similar legislation that could be worked out in Congress, and I certainly hope that this third time is the charm. If we succeed in getting a rule from our great Rules Committee and having the merits of the clean bill debated on the floor of the House, I might say to my good colleague from Texas that I would hope the Rules Committee gave us ample time so that anyone who was in favor of or against this piece of legislation could have a full opportunity to speak their piece and to tell why they were either for or against the bill. Then when the bill is marked up in the House, if there might be any changes that the House saw fit to make in the working of its will, that those changes be made.

Mr. ROGERS. Will the gentleman yield?

Mr. SAYLOR. Yes. I am happy to yield to my good friend from Texas.

Mr. ROGERS. May I have some idea about the length of debate in the minds of those who will present this to the Rules Committee?

Mr. SAYLOR. I might say to my good colleague from Texas, I think we took 4 days for the Alaska statehood bill, and that was under a provision wherein each one of the Members of the House had an hour.

Mr. ROGERS. I am talking about the future, not the past.

Mr. SAYLOR. Since we ran out of time on requests by those who were in favor of or opposed to the bill in 4 days, I certainly feel 4 days would be ample time to debate this bill.

Mr. ROGERS. Do I gather now the gentleman is committing the chairman of the committee to request the Rules of Committee to grant 4 days?

Mr. SAYLOR. The gentleman from Texas well knows the gentleman from Pennsylvania cannot commit the chairman of this committee or the chairman of the subcommittee to anything.

Mr. ROGERS. Would the gentleman from Pennsylvania yield to me to ask the chairman?

Mr. SAYLOR. I want to say a few more words. The gentleman can get his own time.

Mr. O'BRIEN. The gentleman does not yield.

Mr. SAYLOR. The people of Hawaii, but for the untimely death of one of the early kings, would have been a State long before many of the present States of the Union, and I certainly hope that before the 1st session of the 86th Congress is completed the Congress will have worked at its will, will have passed the Hawaiian statehood bill, and that it will be forwarded by the President to the Governor for action in the Territory at the earliest possible moment.

Mr. O'BRIEN. Is there any further discussion?

Mr. HALEY. I move we adjourn.

Mr. BURNS. Mr. Chairman, will the gentleman withhold that?

Mr. HALEY. Yes.

Mr. BURNS. May I have the opportunity of expressing my deep appreciation for the personal compliments and for the courtesy and graciousness of the members of the committee in the consideration of this bill. In my judgment the bill was considered thoroughly, every word gone over carefully, and the committee certainly dedicated their time, energies, and ability to it. I want to express my deep appreciation and express the deep appreciation of the people of Hawaii for the expeditious consideration of this matter and the graciousness of the committee.

Mr. O'BRIEN. The committee is adjourned.

(Whereupon, at 11:35 a.m. the committee adjourned.)

COMMITTEE NOTE.—Subsequently, H.R. 4221, a "clean bill" incorporating the amendments adopted in executive session to H.R. 50, was introduced for reporting to the House. A copy of the bill is as follows:

[H.R. 4221, 86th Cong., 1st sess.]

A BILL To provide for the admission of the State of Hawaii into the Union

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States

in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian homelands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the constitution of said State as provided in section 7, subsection (b), of this Act, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian homelands by officers other than those charged with the administration of said Act shall not be increased except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian homelands may be made in the constitution or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

SEC. 5. (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

(b) Except as provided in subsections (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property within the boundaries of the State of Hawaii title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued needs for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions; for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended; for the development of farm and home ownership on as widespread a basis as possible; for the making of public improvements; and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in which or in part, out of such public trust shall forever remain under the exclusive control of said State, and no part of the proceeds or income from the lands granted under the preceding subsection shall be used for the support of any sectarian or denominational school, college, or university.

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session (67 Stat. 29)) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session (67 Stat. 462)) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. As soon as possible after the enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, and for two Senators and one Representative in Congress. In the first election of Senators from said State, the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to, or be taken to refer to, the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election, and at such elections the officers required to be elected as provided in section 6 shall be chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may either be the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there

shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) Shall Hawaii immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and all claims of this State

(Date of approval of this Act).

to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved _____

(Date of approval of this Act)

reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants or lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: section 1 of article XI of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language; and section 10 of article XVI shall be deemed amended by inserting the words "at which officers for all State elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected" in lieu of the words "at which officers of all State elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large."

In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the Territory of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act. Until the said Territory is so admitted into the Union, the persons holding legislative, executive, and judicial office in, under, or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the Territory of Hawaii into the Union, the officers elected at said election and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat.

761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however,* That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) the first sentence of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico,".

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii, where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such cases shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1175), is amended by inserting before the words "island possession or island territory" the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1204), is amended by inserting before the words "island possession or island territory" the words "the State of Hawaii, or".

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, or to terminate nationality heretofore lawfully acquired, or to restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party.

SEC. 20. (a) Sections 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C. 1101(a)(36)) is amended by deleting the word "Hawaii".

(b) Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d)(7)) is amended by deleting from the first sentence thereof the word "Hawaii," and by deleting the proviso to said first sentence.

(c) The first sentence of section 310(a) of the Immigration and Nationality Act (66 Stat. 239, 8 U.S.C. 1421(a)) is amended by deleting the words "for the Territory of Hawaii, and".

(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 21. Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words "State of Hawaii" for the words "Territory of Hawaii."

SEC. 22. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be affected thereby.

SEC. 23. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

X

LEGISLATIVE HISTORY

Public Law 86-3

S. 50

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INDEX AND SUMMARY OF S. 50

- Jan. 7, 1959 Rep. Burns introduced H. R. 50 which was referred to House Committee on Interior and Insular Affairs. Print of bill as introduced.
- Jan. 9, 1959 Senator Murray and others introduced and Senator Murray discussed S. 50 which was referred to Senate Committee on Interior and Insular Affairs. Print of bill as introduced and remarks of Senator Murray.
- Feb. 4, 1959 House committee ordered H. R. 50 favorably reported.
- Feb. 5, 1959 Rep. O'Brien introduced H. R. 4221 which was referred to House Committee on Interior and Insular Affairs. This bill was not printed as introduced.
- Feb. 11, 1959 House committee reported H. R. 4221 without amendment. House Report 32. Print of bill and report.
- Feb. 26, 1959 Senate subcommittee ordered S. 50 as reported.
- Mar. 3, 1959 Senate committee ordered S. 50 reported with amendments.
- Mar. 5, 1959 Senate committee reported S. 50 with amendments. Senate Report 80. Print of bill and Senate Report.
- Mar. 10, 1959 Rules Committee reported resolution for consideration of H. R. 4221. H. Res. 205 and House Report 198.
- Mar. 11, 1959 Senate passed S. 50 with amendments.
- House began debate on H. R. 4221.
- Mar. 12, 1959 House passed S. 50 without amendment. H. R. 4221 was laid on the table due to passage of S. 50.
- Mar. 18, 1959 Approved: Public Law 86-3.
- President's Message when signing S. 50.
- Hearings: House Committee on Interior and Insular Affairs on H. R. 50.
- Senate Committee on Interior and Insular Affairs on S. 50.

DIGEST OF PUBLIC LAW 86-3

ADMISSION OF HAWAII INTO THE UNION. Provides for the admission of Hawaii into the Union as a State. Grants to the State title to Federal public lands and public property, with certain exceptions. Provides that the laws of the United States shall have the same force and effect within the State of Hawaii as elsewhere within the United States.

H. R. 50

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1959

Mr. BURNS of Hawaii introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To provide for the admission of the State of Hawaii into the Union.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, subject to the provisions of this Act, and upon issuance
4 of the proclamation required by section 7 (c) of this Act, the
5 State of Hawaii is hereby declared to be a State of the United
6 States of America, is declared admitted into the Union on
7 an equal footing with the other States in all respects what-
8 ever, and the constitution formed pursuant to the provisions
9 of the Act of the Territorial Legislature of Hawaii entitled
10 "An Act to provide for a constitutional convention, the
11 adoption of a State constitution, and the forwarding of the

1 same to the Congress of the United States, and appro-
2 priating money therefor", approved May 20, 1949 (Act
3 334, Session Laws of Hawaii, 1949), and adopted by a
4 vote of the people of Hawaii in the election held on Novem-
5 ber 7, 1950, is hereby found to be republican in form and
6 in conformity with the Constitution of the United States
7 and the principles of the Declaration of Independence, and
8 is hereby accepted, ratified, and confirmed.

9 SEC. 2. The State of Hawaii shall consist of all the
10 islands, together with their appurtenant reefs and territorial
11 waters, included in the Territory of Hawaii on the date of
12 enactment of this Act, except the atoll known as Palmyra
13 Island, together with its appurtenant reefs and territorial
14 waters, but said State shall not be deemed to include the Mid-
15 way Islands, Johnston Island, Sand Island (offshore from
16 Johnston Island), or Kingman Reef, together with their
17 appurtenant reefs and territorial waters.

18 SEC. 3. The constitution of the State of Hawaii shall
19 always be republican in form and shall not be repugnant to
20 the Constitution of the United States and the principles of
21 the Declaration of Independence.

22 SEC. 4. As a compact with the United States relating
23 to the management and disposition of the Hawaiian home
24 lands, the Hawaiian Homes Commission Act, 1920, as
25 amended, is adopted as a law of said State, subject to amend-

1 ment or repeal only with the consent of the United States,
2 and in no other manner: *Provided*, That (1) sections 202,
3 213, 219, 220, 222, 224, and 225 and other provisions re-
4 lating to administration, and paragraph (2) of section 204,
5 sections 206 and 212, and other provisions relating to the
6 powers and duties of officers other than those charged with
7 the administration of said Act, may be amended in the
8 constitution, or in the manner required for State legislation,
9 but the Hawaiian home-loan fund, the Hawaiian home-op-
10 erating fund, and the Hawaiian home-development fund shall
11 not be reduced or impaired by any such amendment,
12 whether made in the constitution or in the manner required
13 for State legislation, and the encumbrances authorized to be
14 placed on Hawaiian home lands by officers other than those
15 charged with the administration of said Act, shall not be
16 increased, except with the consent of the United States; (2)
17 that any amendment to increase the benefits to lessees of
18 Hawaiian home lands may be made in the constitution, or in
19 the manner required for State legislation, but the qualifica-
20 tions of lessees shall not be changed except with the con-
21 sent of the United States; and (3) that all proceeds and
22 income from the "available lands", as defined by said Act,
23 shall be used only in carrying out the provisions of said Act.

24 SEC. 5. (a) The State of Hawaii and its political sub-
25 divisions, as the case may be, shall have and retain all the

1 lands and other public property title to which is in the Terri-
2 tory of Hawaii or a political subdivision thereof, except as
3 herein provided, and all such lands and other property shall
4 remain and be the absolute property of the State of Hawaii
5 and its political subdivisions, as the case may be, subject to
6 the constitution and laws of said State: *Provided, however,*
7 That as to any such lands or other property heretofore or
8 hereafter set aside by Act of Congress or by Executive order
9 or proclamation of the President or the Governor of Hawaii,
10 pursuant to law, for the use of the United States, whether
11 absolutely or subject to limitations, and remaining so set aside
12 immediately prior to the admission of the State of Hawaii
13 into the Union, the United States shall be and become vested
14 with absolute title thereto, or an interest therein conformable
15 to such limitations, as the case may be.

16 (b) The United States hereby grants to the State of
17 Hawaii, effective upon the date of its admission into the
18 Union, the absolute title to all the public lands and other
19 public property within the boundaries of the State of Hawaii
20 as described herein, title to which is in the United States
21 immediately prior to the admission of such State into the
22 Union, except as otherwise provided in this Act: *Provided,*
23 *however,* That as to any such lands or other property here-
24 tofore or hereafter set aside by Act of Congress or by
25 Executive order or proclamation of the President or the

1 Governor of Hawaii, pursuant to law, for the use of the
2 United States, whether absolutely or subject to limitations,
3 and remaining so set aside immediately prior to the admis-
4 sion of the State of Hawaii into the Union, the United
5 States shall retain absolute title thereto, or an interest therein
6 conformable to such limitations, as the case may be: *Pro-*
7 *vided further*, That the provisions of section 91 of the
8 Hawaiian Organic Act, as amended (48 U.S.C. 511), which
9 authorize the President to restore to their previous status
10 lands set aside for the use of the United States, shall not
11 terminate upon the admission of the State of Hawaii into
12 the Union but shall continue in effect for a period of five
13 years thereafter. As used in this subsection, the term “public
14 lands and other public property” means, and is limited to,
15 the lands and other properties that were ceded to the United
16 States by the Republic of Hawaii under the joint resolution
17 of annexation approved July 7, 1898 (30 Stat. 750), or
18 that have been acquired in exchange for lands or other
19 properties so ceded. The lands hereby granted shall be in
20 lieu of any and all grants provided for new States by pro-
21 visions of law other than this Act, and such grants shall not
22 extend to the State of Hawaii.

23 (c) The lands granted to the State of Hawaii pursuant
24 to the preceding subsection, together with the proceeds
25 thereof and the income therefrom, shall be held by said State

1 as a public trust for the support of the public schools and
2 other public educational institutions, for the betterment of the
3 conditions of native Hawaiians, as defined in the Hawaiian
4 Homes Commission Act, 1920, as amended, for the develop-
5 ment of farm and home ownership on as widespread a basis
6 as possible, for the making of public improvements, and
7 for the provision of lands for public use. Such lands, pro-
8 ceeds, and income shall be managed and disposed of for one
9 or more of the foregoing purposes in such manner as the
10 constitution and laws of said State may provide, and their
11 use for any other object shall constitute a breach of trust
12 for which suit may be brought by the United States. The
13 schools and other educational institutions supported, in whole
14 or in part, out of such public trust shall forever remain under
15 the exclusive control of said State; and no part of the pro-
16 ceeds or income from the lands granted under the preceding
17 subsection shall be used for the support of any sectarian or
18 denominational school, college, or university.

19 (d) Effective upon the admission of the State of Hawaii
20 into the Union all laws of the United States reserving to the
21 United States the free use or enjoyment of property herein-
22 above vested in the State of Hawaii or its political sub-
23 divisions, or the right to alter, amend, or repeal laws relating
24 thereto, are hereby repealed.

25 (e) The Submerged Lands Act of 1953 (Public Law

1 31, Eighty-third Congress, first session; 67 Stat. 29) shall
2 be applicable to the State of Hawaii, and the said State shall
3 have the same rights as do existing States thereunder.

4 SEC. 6. Upon enactment of this Act, it shall be the duty
5 of the President of the United States to forthwith certify such
6 fact to the Governor of the Territory of Hawaii. Thereupon
7 the Governor of the Territory shall, within thirty days after
8 receipt of the official notification of such approval, issue
9 his proclamation for the elections, as hereinafter provided,
10 for officers of all State elective offices provided for by the
11 constitution of the proposed State of Hawaii, but the officers
12 so elected shall in any event include two Senators and two
13 Representatives in Congress. Until and unless otherwise
14 required by the constitution or laws of said State, said Repre-
15 sentatives shall be elected at large, the two offices shall be
16 separately identified and designated, and no person may be a
17 candidate for both offices. In the first election of Senators
18 from said State, the two senatorial offices shall be separately
19 identified and designated, and no person may be a candidate
20 for both offices.

21 SEC. 7. (a) The proclamation of the Governor of the
22 Territory of Hawaii required by section 6 shall provide for
23 the holding of a primary election not less than sixty nor
24 more than ninety days after said proclamation, and the
25 general election shall take place within forty days after said

1 primary election, and at such elections the officers required
 2 to be elected as provided in section 6 shall be, and officers
 3 for other elective offices provided for in the constitution of
 4 the proposed State of Hawaii shall be, chosen by the people.
 5 Such elections shall be held, and the qualifications of voters
 6 thereat shall be, as prescribed by the constitution of the
 7 proposed State of Hawaii for the election of members of
 8 the proposed State legislature. The returns thereof shall be
 9 made and certified in such manner as the constitution of the
 10 proposed State of Hawaii may prescribe. The Governor of
 11 Hawaii shall certify the results of said elections, as so ascer-
 12 tained, to the President of the United States.

13 (b) At an election designated by proclamation of the
 14 Governor of Hawaii, which may be the general election
 15 held pursuant to subsection (a) of this section, or a Terri-
 16 torial general election, or a special election, there shall be
 17 submitted to the electors qualified to vote in said election,
 18 for adoption or rejection, the following propositions:

19 “(1) The boundaries of the State of Hawaii shall
 20 be as prescribed in the Act of Congress approved
 21 -----, and all claims of this
 (Date of approval of this Act)
 22 State to any areas of land or sea outside the boundaries
 23 so prescribed are hereby irrevocably relinquished to the
 24 United States.

25 “(2) All provisions of the Act of Congress approved

1 ----- reserving rights or powers
 (Date of approval of this Act)
 2 to the United States, as well as those prescribing the terms
 3 or conditions of the grants of lands or other property there-
 4 in made to the State of Hawaii, are consented to fully
 5 by said State and its people.”

6 In the event the foregoing propositions are adopted at
 7 said election by a majority of the legal votes cast on
 8 said submission, the proposed constitution of the proposed
 9 State of Hawaii, ratified by the people at the election held on
 10 November 7, 1950, shall be deemed amended as follows:
 11 Section 1 of article XIII of said proposed constitution shall
 12 be deemed amended so as to contain the language of section
 13 2 of this Act in lieu of any other language; and section 8 of
 14 article XIV shall be deemed amended so as to contain the
 15 language of the second proposition above stated in lieu of
 16 any other language. In the event the foregoing propositions
 17 are not adopted at said election by a majority of the legal
 18 votes cast on said submission, the provisions of this Act shall
 19 thereupon cease to be effective.

20 The Governor of Hawaii is hereby authorized and
 21 directed to take such action as may be necessary or appro-
 22 priate to insure the submission of said propositions to the
 23 people. The return of the votes cast on said propositions
 24 shall be made by the election officers directly to the Secretary

1 of Hawaii, who shall certify the results of the submission to
2 the Governor. The Governor shall certify the results of
3 said submission, as so ascertained, to the President of the
4 United States.

5 (c) If the President shall find that the propositions set
6 forth in the preceding subsection have been duly adopted by
7 the people of Hawaii, the President, upon certification of the
8 returns of the election of the officers required to be elected as
9 provided in section 6 of this Act, shall thereupon issue his
10 proclamation announcing the results of said election as so
11 ascertained. Upon the issuance of said proclamation by the
12 President, the State of Hawaii shall be deemed admitted into
13 the Union as provided in section 1 of this Act.

14 Until the said State is so admitted into the Union, all of
15 the officers of said Territory, including the Delegate in Con-
16 gress from said Territory, shall continue to discharge the
17 duties of their respective offices. Upon the issuance of said
18 proclamation by the President of the United States and the
19 admission of the State of Hawaii into the Union, the officers
20 elected at said election, and qualified under the provisions of
21 the constitution and laws of said State, shall proceed to exer-
22 cise all the functions pertaining to their offices in or under or
23 by authority of the government of said State, and officers not
24 required to be elected at said initial election shall be selected
25 or continued in office as provided by the constitution and laws

1 of said State. The Governor of said State shall certify the
2 election of the Senators and Representatives in the manner
3 required by law, and the said Senators and Representatives
4 shall be entitled to be admitted to seats in Congress and to
5 all the rights and privileges of Senators and Representatives
6 of other States in the Congress of the United States.

7 (d) Upon admission of the State of Hawaii into the
8 Union as herein provided, all the Territorial laws then in
9 force in the Territory of Hawaii shall be and continue in full
10 force and effect throughout said State except as modified or
11 changed by this Act, or by the constitution of the State, or
12 as thereafter repealed or amended by the Legislature of the
13 State of Hawaii, except as hereinbefore provided with re-
14 spect to the Hawaiian Homes Commission Act, 1920, as
15 amended. All of the laws of the United States shall have
16 the same force and effect within said State as elsewhere
17 within the United States. As used in this paragraph, the
18 term "Territorial laws" includes (in addition to laws en-
19 acted by the Territorial Legislature of Hawaii) all laws or
20 parts thereof enacted by the Congress the validity of which
21 is dependent solely upon the authority of the Congress to
22 provide for the government of Hawaii prior to the admission
23 of the State of Hawaii into the Union, and the term "laws
24 of the United States" includes all laws or parts thereof en-
25 acted by the Congress that (1) apply to or within Hawaii

1 at the time of the admission of the State of Hawaii into the
2 Union, (2) are no "Territorial laws" as defined in this para-
3 graph, and (3) are not in conflict with any other provi-
4 sions of this Act.

5 SEC. 8. The State of Hawaii upon its admission into the
6 Union shall be entitled to two Representatives until the
7 taking effect of the next reapportionment, and such Repre-
8 sentatives shall be in addition to the membership of the
9 House of Representatives as now prescribed by law: *Pro-*
10 *vided*, That such temporary increase in the membership
11 shall not operate to either increase or decrease the perma-
12 nent membership of the House of Representatives as pre-
13 scribed in the Act of August 8, 1911 (37 Stat. 13) nor
14 shall such temporary increase affect the basis of apporportion-
15 ment established by the Act of November 15, 1941 (55
16 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress
17 and each Congress thereafter.

18 SEC. 9. Effective upon the admission of the State of
19 Hawaii into the Union—

20 (a) the United States District Court for the District
21 of Hawaii established by and existing under title 28 of
22 the United States Code shall thenceforth be a court of
23 the United States with judicial power derived from
24 article III, section 1, of the Constitution of the United
25 States: *Provided, however*, That the terms of office of

1 the district judges for the District of Hawaii then in
2 office shall terminate upon the effective date of this
3 section and the President, pursuant to sections 133 and
4 134 of title 28, United States Code, as amended by this
5 Act, shall appoint, by and with the advice and consent
6 of the Senate, two district judges for the said district
7 who shall hold office during good behavior;

8 (b) the last paragraph of section 133 of title 28,
9 United States Code, is repealed; and

10 (c) subsection (a) of section 134 of title 28, United
11 States Code, is amended to read as follows:

12 “(a) The district judges, except in Puerto Rico, shall
13 hold office during good behavior. The district judge in
14 Puerto Rico shall hold office for the term of eight years,
15 and until his successor is appointed and qualified.”

16 SEC. 10. Effective upon the admission of the State of
17 Hawaii into the Union the second paragraph of section 451
18 of title 28, United States Code, is amended by striking out
19 the words “including the district courts of the United States
20 for the districts of Hawaii and Puerto Rico,” and inserting
21 in lieu thereof the words “including the United States Dis-
22 trict Court for the District of Puerto Rico,”.

23 SEC. 11. Effective upon the admission of the State of
24 Hawaii into the Union—

1 (a) the last paragraph of section 501 of title 28,
2 United States Code, is repealed;

3 (b) the first sentence of subsection (a) of section
4 504 of title 28, United States Code, is amended by
5 striking out at the end thereof the words “, except in the
6 district of Hawaii, where the term shall be six years”;

7 (c) the first sentence of subsection (c) of section
8 541 of title 28, United States Code, is amended by
9 striking out at the end thereof the words “, except in
10 the district of Hawaii where the term shall be six years”;
11 and

12 (d) subsection (d) of section 541 of title 28,
13 United States Code, is repealed.

14 SEC. 12. No writ, action, indictment, cause, or pro-
15 ceeding pending in any court of the Territory of Hawaii or
16 in the United States District Court for the District of Hawaii
17 shall abate by reason of the admission of said State into the
18 Union, but the same shall be transferred to and proceeded
19 with in such appropriate State courts as shall be established
20 under the constitution of said State, or shall continue in the
21 United States District Court for the District of Hawaii, as
22 the nature of the case may require. And no indictment,
23 action, or proceedings shall abate by reason of any change
24 in the courts, but shall be proceeded with in the State or
25 United States courts according to the laws thereof, respec-

1 tively. And the appropriate State courts shall be the suc-
2 cessors of the courts of the Territory as to all cases arising
3 within the limits embraced within the jurisdiction of such
4 courts, respectively, with full power to proceed with the
5 same, and award mesne or final process therein, and all the
6 files, records, indictment, and proceedings relating to any
7 such cases shall be transferred to such appropriate State
8 courts and the same shall be proceeded with therein in due
9 course of law.

10 All civil causes of action and all criminal offenses which
11 shall have arisen or been committed prior to the admission
12 of said State, but as to which no suit, action, or prosecution
13 shall be pending at the date of such admission, shall be
14 subject to prosecution in the appropriate State courts or in
15 the United States District Court for the District of Hawaii
16 in like manner, to the same extent, and with like right of
17 appellate review, as if said State had been created and said
18 State courts had been established prior to the accrual of
19 such causes of action or the commission of such offenses.
20 The admission of said State shall effect no change in the
21 substantive or criminal law governing such causes of action
22 and criminal offenses which shall have arisen or been com-
23 mitted; and such of said criminal offenses as shall have
24 been committed against the laws of the Territory shall be
25 tried and punished by the appropriate courts of said State,

1 and such as shall have been committed against the laws
2 of the United States shall be tried and punished in the
3 United States District Court for the District of Hawaii.

4 SEC. 13. Parties shall have the same rights of appeal
5 from and appellate review of final decisions of the United
6 States District Court for the District of Hawaii or the
7 Supreme Court of the Territory of Hawaii in any case
8 finally decided prior to admission of said State into the
9 Union, whether or not an appeal therefrom shall have been
10 perfected prior to such admission, and the United States
11 Court of Appeals for the Ninth Circuit and the Supreme
12 Court of the United States shall have the same jurisdiction
13 therein, as by law provided prior to admission of said State
14 into the Union, and any mandate issued subsequent to the
15 admission of said State shall be to the United States District
16 Court for the District of Hawaii or a court of the State, as
17 may be appropriate. Parties shall have the same rights
18 of appeal from and appellate review of all orders, judgments,
19 and decrees of the United States District Court for the Dis-
20 trict of Hawaii and of the Supreme Court of the State of
21 Hawaii as successor to the Supreme Court of the Territory
22 of Hawaii, in any case pending at the time of admission of
23 said State into the Union, and the United States Court of
24 Appeals for the Ninth Circuit and the Supreme Court of the
25 United States shall have the same jurisdiction therein, as by

1 law provided in any case arising subsequent to the admission
2 of said State into the Union.

3 SEC. 14. Effective upon the admission of the State of
4 Hawaii into the Union—

5 (a) title 28, United States Code, section 1252, is
6 amended by striking out “Hawaii and” from the clause
7 relating to courts of record;

8 (b) title 28, United States Code, section 1293, is
9 amended by striking out the words “First and Ninth
10 Circuits” and by inserting in lieu thereof “First Circuit”,
11 and by striking out the words, “Supreme Courts of
12 Puerto Rico and Hawaii, respectively” and inserting in
13 lieu thereof “Supreme Court of Puerto Rico”;

14 (c) title 28, United States Code, section 1294, is
15 amended by striking out paragraph (5) thereof and by
16 renumbering paragraphs (6) and (7) as paragraphs
17 (4) and (5) respectively;

18 (d) the first paragraph of section 373 of title 28,
19 United States Code, is amended by striking out the
20 words “United States district courts for the Districts of
21 Hawaii or Puerto Rico,” and inserting in lieu thereof
22 the words “United States District Court for the District
23 of Puerto Rico,”; and by striking out the words “and
24 any justice of the Supreme Court of the Territory of
25 Hawaii”: *Provided*, That the amendments made by this

1 subsection shall not affect the rights of any judge or
2 justice who may have retired before the effective date
3 of this subsection: *And provided further*, That service as
4 a judge of the district court for the Territory of Hawaii
5 or as a judge of the United States District Court for the
6 District of Hawaii or as a justice of the Supreme Court
7 of the Territory of Hawaii or as a judge of the circuit
8 courts of the Territory of Hawaii shall be included in
9 computing under section 371, 372, or 373 of title 28,
10 United States Code, the aggregate years of judicial
11 service of any person who is in commission as a district
12 judge for the district of Hawaii on the date of enactment
13 of this Act;

14 (e) section 92 of the Act of April 30, 1900 (ch.
15 339, 31 Stat. 159), as amended, and the Act of May
16 29, 1928 (ch. 904, 45 Stat. 997), as amended, are
17 repealed;

18 (f) section 86 of the Act approved April 30, 1900
19 (ch. 339, 31 Stat. 158), as amended, is repealed;

20 (g) section 3771 of title 18, United States Code, as
21 heretofore amended, is further amended by striking out
22 from the first paragraph of such section the words "Su-
23 preme Courts of Hawaii and Puerto Rico" and inserting
24 in lieu thereof the words "Supreme Court of Puerto
25 Rico";

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words “Supreme Courts of Hawaii and Puerto Rico” and inserting in lieu thereof the words “Supreme Court of Puerto Rico”;

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after “Kure Island” and before “Baker Island” the words “Palmyra Island,”; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after “Kure Island” and before “Baker Island” the words “Palmyra Island,”.

SEC. 15. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii, the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said

1 Act or in other laws relating to Hawaii National Park shall
2 be deemed to refer to the State of Hawaii. Nothing con-
3 tained in this Act shall be construed to affect the ownership
4 and control by the United States of any lands or other prop-
5 erty within Hawaii National Park which may now belong to,
6 or which may hereafter be acquired by, the United States.

7 (b) Notwithstanding the admission of the State of
8 Hawaii into the Union, authority is reserved in the United
9 States, subject to the proviso hereinafter set forth, for the
10 exercise by the Congress of the United States of the power
11 of exclusive legislation, as provided by article I, section 8,
12 clause 17, of the Constitution of the United States, in all
13 cases whatsoever over such tracts or parcels of land as,
14 immediately prior to the admission of said State, are con-
15 trolled or owned by the United States and held for defense
16 or Coast Guard purposes, whether such lands were acquired
17 by cession and transfer to the United States by the Republic
18 of Hawaii and set aside by Act of Congress or by Executive
19 order or proclamation of the President or the Governor of
20 Hawaii for the use of the United States, or were acquired by
21 the United States by purchase, condemnation, donation,
22 exchange, or otherwise: *Provided*, (i) That the State of
23 Hawaii shall always have the right to serve civil or criminal
24 process within the said tracts or parcels of land in suits or
25 prosecutions for or on account of rights acquired, obligations

1 incurred, or crimes committed within the said State but out-
2 side of the said tracts or parcels of land; (ii) that the reserva-
3 tion of authority in the United States for the exercise by the
4 Congress of the United States of the power of exclusive
5 legislation over the lands aforesaid shall not operate to pre-
6 vent such lands from being a part of the State of Hawaii, or
7 to prevent the said State from exercising over or upon such
8 lands, concurrently with the United States, any jurisdiction
9 whatsoever which it would have in the absence of such
10 reservation of authority and which is consistent with the
11 laws hereafter enacted by the Congress pursuant to such
12 reservation of authority; and (iii) that such power of ex-
13 clusive legislation shall vest and remain in the United States
14 only so long as the particular tract or parcel of land involved
15 is controlled or owned by the United States and used for
16 Defense or Coast Guard purposes: *Provided, however, That*
17 the United States shall continue to have sole and exclusive
18 jurisdiction over such military installations as have been
19 heretofore or hereafter determined to be critical areas as
20 delineated by the President of the United States and/or
21 the Secretary of Defense.

22 SEC. 16. The first paragraph of section 2 of the Federal
23 Reserve Act (38 Stat. 251) is amended by striking out the
24 last sentence thereof and inserting in lieu of such sentence
25 the following: "When the State of Hawaii is admitted to

1 the Union the Federal Reserve districts shall be readjusted
2 by the Board of Governors of the Federal Reserve System in
3 such manner as to include such State. Every national bank
4 in any State shall, upon commencing business or within
5 ninety days after admission into the Union of the State in
6 which it is located, become a member bank of the Federal
7 Reserve System by subscribing and paying for stock in the
8 Federal Reserve bank of its district in accordance with the
9 provisions of this Act and shall thereupon be an insured bank
10 under the Federal Deposit Insurance Act, and failure to do
11 so shall subject such bank to the penalty provided by the
12 sixth paragraph of this section.”

13 SEC. 17. (a) Nothing contained in this or any other
14 Act shall be construed as depriving the Federal Maritime
15 Board of the exclusive jurisdiction heretofore conferred on it
16 over common carriers engaged in transportation by water
17 between any port in the State of Hawaii and other ports in
18 the United States, or possessions, or as conferring on the
19 Interstate Commerce Commission jurisdiction over trans-
20 portation by water between any such ports.

21 (b) effective on the admission of the State of Hawaii
22 into the Union—

23 (1) the first sentence of section 506 of the Merchant
24 Marine Act, 1936, as amended (46 U.S.C., sec. 1156),
25 is amended by inserting before the words “island posses-

1 sion or island territory”, the words, “the State of Hawaii,
2 or”;

3 (2) section 605 (a) of the Merchant Marine Act,
4 1936, as amended (46 U.S.C., sec. 1175), is amended
5 by inserting before the words “island possession or island
6 territory”, the words “the State of Hawaii, or”; and

7 (3) the second paragraph of section 714 of the
8 Merchant Marine Act, 1936, as amended (46 U.S.C.,
9 sec. 1204), is amended by inserting before the words
10 “island possession or island territory”, the words “the
11 State of Hawaii, or”.

12 SEC. 18. Nothing contained in this Act shall operate to
13 confer United States nationality, nor to terminate nationality
14 heretofore lawfully acquired, nor restore nationality hereto-
15 fore lost under any law of the United States or under any
16 treaty to which the United States may have been a party.

17 SEC. 19. Section 101a (36) of the Immigration and
18 Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101 (a)
19 (36)) is amended by deleting the word “Hawaii.”.

20 SEC. 20. Section 212 (d) (7) of the Immigration and
21 Nationality Act (66 Stat. 188, 8 U.S.C. 1182 (d) (7)) is
22 amended by deleting from the third line of the first sentence
23 thereof the word “Hawaii,” and by deleting the proviso
24 contained in the first sentence thereof.

25 SEC. 21. The first sentence of section 310 (a) of the

1 Immigration and Nationality Act (66 Stat. 239, 8 U.S.C.
2 1421 (a)) is amended by deleting the words “for the Terri-
3 tory of Hawaii, and”.

4 SEC. 22. Nothing contained in this Act shall be held
5 to repeal, amend, or modify the provisions of section 305
6 of the Immigration and Nationality Act (66 Stat. 237,
7 8 U.S.C. 1405) .

8 SEC. 23. If any provision of this Act, or any section,
9 subsection, sentence, clause, phrase, or individual word, or
10 the application thereof to any person or circumstance is held
11 invalid, the validity of the remainder of the Act and of the
12 application of any such provision, section, subsection, sen-
13 tence, clause, phrase, or individual word to other persons and
14 circumstances shall not be affected thereby.

15 SEC. 24. All Acts or parts of Acts in conflict with the
16 provisions of this Act, whether passed by the legislature of
17 said Territory or by Congress are hereby repealed.

A BILL

To provide for the admission of the State of
Hawaii into the Union.

By Mr. Burns of Hawaii

JANUARY 7, 1959

Referred to the Committee on Interior and Insular
Affairs

IN THE SENATE OF THE UNITED STATES

JANUARY 9 (legislative day, JANUARY 8), 1959

Mr. MURRAY (for himself, Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. CANNON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FREAR, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGS, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. LONG, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs. SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To provide for the admission of the State of Hawaii into the
Union.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, subject to the provisions of this Act, and upon issu-
4 ance of the proclamation required by section 7 (c) of this
5 Act, the State of Hawaii is hereby declared to be a State of
6 the United States of America, is declared admitted into the

1 Union on an equal footing with the other States in all re-
2 spects whatever, and the constitution formed pursuant to
3 the provisions of the Act of the Territorial Legislature of
4 Hawaii entitled "An Act to provide for a constitutional con-
5 vention, the adoption of a State constitution, and the for-
6 warding of the same to the Congress of the United States,
7 and appropriating money therefor", approved May 20,
8 1949 (Act 334, Session Laws of Hawaii, 1949), and
9 adopted by a vote of the people of Hawaii in the election
10 held on November 7, 1950, is hereby found to be republican
11 in form and in conformity with the Constitution of the
12 United States and the principles of the Declaration of Inde-
13 pendence, and is hereby accepted, ratified and confirmed.

14 SEC. 2. The State of Hawaii shall consist of all the
15 islands, together with their appurtenant reefs and territorial
16 waters, included in the Territory of Hawaii on the date of
17 enactment of this Act, except the atoll known as Palmyra
18 Island, together with its appurtenant reefs and territorial
19 waters, but said State shall not be deemed to include the
20 Midway Islands, Johnston Island, Sand Island (offshore
21 from Johnston Island), or Kingman Reef, together with
22 their appurtenant reefs and territorial waters.

23 SEC. 3. The constitution of the State of Hawaii shall
24 always be republican in form and shall not be repugnant

1 to the Constitution of the United States and the principles
2 of the Declaration of Independence.

3 SEC. 4. As a compact with the United States relating
4 to the management and disposition of the Hawaiian home
5 lands, the Hawaiian Homes Commission Act, 1920, as
6 amended, is adopted as a law of said State, subject to
7 amendment or repeal only with the consent of the United
8 States, and in no other manner: *Provided*, That (1) sections
9 202, 213, 219, 220, 222, 224, and 225 and other provisions
10 relating to administration, and paragraph (2) of section 204,
11 sections 206 and 212, and other provisions relating to the
12 powers and duties of officers other than those charged with
13 the administration of said Act, may be amended in the
14 constitution, or in the manner required for ordinary State
15 legislation, but the Hawaiian home-loan fund, the Hawaiian
16 home-operating fund, and the Hawaiian home-development
17 fund shall not be reduced or impaired by any such amend-
18 ment or law, whether made in the constitution or in
19 the manner required for ordinary State legislation, and
20 the encumbrances authorized to be placed on Hawaiian
21 home lands by officers other than those charged with
22 the administration of said Act, shall not be increased,
23 except with the consent of the United States; (2) that any
24 amendment to increase the benefits to lessees of Hawaiian

1 home lands may be made in the constitution, or in the manner
2 required for ordinary State legislation, but the qualifications
3 of lessees shall not be changed except with the consent of the
4 United States; and (3) that all proceeds and income from
5 the “available lands”, as defined by said Act, shall be used
6 only in carrying out the provisions of said Act. It is further
7 agreed that neither the State of Hawaii nor any subdivision
8 thereof shall take any action or enact or enforce any law or
9 regulation which imposes a tax, requirement or restriction
10 which unreasonably discriminates directly or indirectly
11 against nonresident persons, firms or corporations, their
12 business, property, or occupational activities or opportunities.

13 SEC. 5. (a) The State of Hawaii and its political sub-
14 divisions, as the case may be, shall have and retain all the
15 lands and other public property title to which is in the Territory
16 of Hawaii or a political subdivision thereof, except as herein
17 provided, and all such lands and other property shall remain
18 and be the absolute property of the State of Hawaii and its
19 political subdivisions, as the case may be, subject to the con-
20 stitution and laws of said State: *Provided, however,* That as
21 to any such lands or other property heretofore or hereafter
22 set aside by Act of Congress or by Executive order or
23 proclamation of the President or the Governor of Hawaii,
24 pursuant to law, for the use of the United States, whether
25 absolutely or subject to limitations, and remaining so set aside

1 immediately prior to the admission of the State of Hawaii
2 into the Union, the United States shall be and become vested
3 with absolute title thereto, or an interest therein conformable
4 to such limitations, as the case may be.

5 (b) The United States hereby grants to the State of
6 Hawaii, effective upon the date of its admission into the
7 Union, the absolute title to all the public lands and other
8 public property within the boundaries of the State of Hawaii,
9 as described herein, title to which is in the United States
10 immediately prior to the admission of such State into the
11 Union, except as otherwise provided in this Act: *Provided,*
12 *however,* That as to any such lands or other property hereto-
13 fore or hereafter set aside by Act of Congress or by Execu-
14 tive order or proclamation of the President or the Governor
15 of Hawaii, pursuant to law, for the use of the United States,
16 whether absolutely or subject to limitations, and remaining
17 so set aside immediately prior to the admission of the State
18 of Hawaii into the Union, the United States shall retain abso-
19 lute title thereto, or an interest therein conformable to such
20 limitations, as the case may be. As used in this subsection,
21 the term “public lands and other public property” means,
22 and is limited to, the lands and other properties that were
23 ceded to the United States by the Republic of Hawaii under
24 the joint resolution of annexation approved July 7, 1898
25 (30 Stat. 750), or that have been acquired in exchange for

1 lands or other properties so ceded. The lands hereby granted
2 shall be in lieu of any and all grants provided for new States
3 by provisions of law other than this Act, and such grants
4 shall not extend to the State of Hawaii.

5 (c) The lands granted to the State of Hawaii pursuant
6 to the preceding subsection, together with the proceeds thereof
7 and the income therefrom, shall be held by said State as a
8 public trust for the support of the public schools and other
9 public educational institutions, for the betterment of the con-
10 ditions of native Hawaiians, as defined in the Hawaiian
11 Homes Commission Act, 1920, as amended, for the develop-
12 ment of farm and home ownership on as widespread a basis
13 as possible, for the making of public improvements, and for
14 the provision of lands for public use. Such lands, proceeds,
15 and income shall be managed and disposed of for one or more
16 of the foregoing purposes in such manner as the constitution
17 and laws of said State may provide, and their use for any
18 other object shall constitute a breach of trust for which suit
19 may be brought by the United States. The schools and other
20 educational institutions supported, in whole or in part, out of
21 such public trust shall forever remain under the exclusive
22 control of said State; and no part of the proceeds or income
23 from the lands granted under the preceding subsection shall
24 be used for the support of any sectarian or denominational
25 school, college, or university.

1 (d) Effective upon the admission of the State of Hawaii
2 into the Union all laws of the United States reserving to
3 the United States the free use or enjoyment of property
4 hereinabove vested in the State of Hawaii or its political
5 subdivisions, or the right to alter, amend, or repeal laws
6 relating thereto, are hereby repealed.

7 (e) The Submerged Lands Act of 1953 (Public Law
8 31, Eighty-third Congress, first session; 67 Stat. 29) shall
9 be applicable to the State of Hawaii, and the said State shall
10 have the same rights as do existing States thereunder.

11 SEC. 6. Upon enactment of this Act, it shall be the duty
12 of the President of the United States to certify such fact
13 to the Governor of Hawaii. Thereupon the Governor of the
14 Territory shall, within thirty days after receipt of the official
15 notification of such approval, issue his proclamation for
16 the elections, as hereinafter provided, for officers of all elec-
17 tive offices provided for by the constitution of the proposed
18 State of Hawaii, but the officers so elected shall in any event
19 include two Senators and two Representatives in Congress.
20 Until and unless otherwise required by the constitution or
21 laws of said proposed State, said Representatives shall be
22 elected at large.

23 SEC. 7. (a) The proclamation of the Governor of
24 Hawaii required by section 6 shall provide for the holding
25 of a primary election not less than sixty nor more than

1 ninety days after said proclamation, and a general election
 2 shall take place within forty days after said primary election,
 3 and at such elections the officers required to be elected as
 4 provided in section 6 shall be, and officers for other elective
 5 offices provided for in the constitution of the proposed State
 6 of Hawaii may be, chosen by the people. Such elections
 7 shall be held, and the qualifications of voters thereat shall
 8 be, as prescribed by the constitution of the proposed State
 9 of Hawaii for the election of members of the proposed State
 10 legislature. The returns thereof shall be made and certified
 11 in such manner as the constitution of the proposed State of
 12 Hawaii may prescribe. The Governor of Hawaii shall certify
 13 the results of said elections, as so ascertained, to the Presi-
 14 dent of the United States.

15 (b) At an election designated by proclamation of the
 16 Governor of Hawaii, which may be the general election held
 17 pursuant to subsection (a) of this section, or a Territorial
 18 general election, or a special election, there shall be sub-
 19 mitted to the electors qualified to vote in said election, for
 20 adoption or rejection, the following propositions:

21 “(1) The boundaries of the State of Hawaii
 22 shall be as prescribed in the Act of Congress ap-
 23 proved -----, and all claims
 24 of this State to any areas of land or sea outside the bound-

(date of approval of this Act)

aries so prescribed are hereby irrevocably relinquished to the United States.

“(2) All provisions of the Act of Congress approved _____ reserving rights
(date of approval of this Act)
 or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people.”

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; and section 8 of article XIV shall be deemed amended so as to contain the language of the second proposition above stated in lieu of any other language. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thereupon cease to be effective.

The Governor of Hawaii is hereby authorized and

1 directed to take such action as may be necessary or appro-
2 priate to insure the submission of said propositions to the
3 people. The return of the votes cast on said propositions
4 shall be made by the election officers directly to the Secre-
5 tary of Hawaii, who shall certify the results of the submission
6 to the Governor. The Governor shall certify the results of
7 said submission, as so ascertained, to the President of the
8 United States.

9 (c) If the President shall find that the propositions set
10 forth in the preceding subsection have been duly adopted by
11 the people of Hawaii, the President, upon certification of the
12 returns of the election of the officers required to be elected as
13 provided in section 6 of this Act, shall thereupon issue his
14 proclamation announcing the results of said election as so
15 ascertained. Upon the issuance of said proclamation by the
16 President, the State of Hawaii shall be deemed admitted into
17 the Union as provided in section 1 of this Act.

18 Until the said State is so admitted into the Union all of
19 the officers of said Territory, including the Delegate in Con-
20 gress from said Territory, shall continue to discharge the
21 duties of their respective offices. Upon the issuance of said
22 proclamation by the President of the United States
23 and the admission of the State of Hawaii into the
24 Union, the officers elected at said election, and qualified
25 under the provisions of the constitution and laws of said

1 State, shall proceed to exercise all the functions pertaining to
2 their offices in or under or by authority of the government of
3 said State, and officers not required to be elected at said ini-
4 tial election shall be selected or continued in office as provided
5 by the constitution and laws of said State. The Governor
6 of said State shall certify the election of the Senators and
7 Representatives in the manner required by law, and the said
8 Senators and Representatives shall be entitled to be admitted
9 to seats in Congress and to all the rights and privileges of
10 Senators and Representatives of other States in the Congress
11 of the United States.

12 SEC. 8. The State of Hawaii upon its admission into
13 the Union shall be entitled to two Representatives until the
14 taking effect of the next reapportionment, and such Repre-
15 sentatives shall be in addition to the membership of the
16 House of Representatives as now prescribed by law: *Pro-*
17 *vided*, That such temporary increase in the membership
18 shall not operate to either increase or decrease the permanent
19 membership of the House of Representatives as prescribed
20 in the Act of August 8, 1911 (37 Stat. 13), nor shall such
21 temporary increase affect the basis of apportionment estab-
22 lished by the Act of November 15, 1941 (55 Stat. 761;
23 2 U. S. C., sec. 2a), for the Eighty-third Congress and
24 each Congress thereafter.

1 SEC. 9. Effective upon the admission of the State of
2 Hawaii into the Union—

3 (a) the United States District Court for the District
4 of Hawaii established by and existing under title 28 of
5 the United States Code shall thenceforth be a court of
6 the United States with judicial power derived from
7 article III, section 1, of the Constitution of the United
8 States: *Provided, however,* That the terms of office of
9 the district judges for the district of Hawaii then in
10 office shall terminate upon the effective date of this sec-
11 tion and the President, pursuant to sections 133 and
12 134 of title 28, United States Code, as amended by
13 this Act, shall appoint, by and with the advice and
14 consent of the Senate, two district judges for the said
15 district who shall hold office during good behavior;

16 (b) the last paragraph of section 133 of title 28,
17 United States Code, is repealed; and

18 (c) subsection (a) of section 134 of title 28,
19 United States Code, is amended to read as follows:

20 “(a) The district judges, except in Puerto Rico, shall
21 hold office during good behavior. The district judge in
22 Puerto Rico shall hold office for the term of eight years, and
23 until his successor is appointed and qualified.”

24 SEC. 10. Effective upon the admission of the State of
25 Hawaii into the Union the second paragraph of section 451

1 of title 28, United States Code, is amended by striking out
2 the words “including the district courts of the United States
3 for the districts of Hawaii and Puerto Rico,” and inserting
4 in lieu thereof the words “including the United States
5 District Court for the District of Puerto Rico,”.

6 SEC. 11. Effective upon the admission of the State
7 of Hawaii into the Union—

8 (a) the last paragraph of section 501 of title 28,
9 United States Code, is repealed;

10 (b) the first sentence of subsection (a) of section
11 504 of title 28, United States Code, is amended by
12 striking out at the end thereof the words “, except in the
13 district of Hawaii, where the term shall be six years”;

14 (c) the first sentence of subsection (c) of section
15 541 of title 28, United States Code, is amended by
16 striking out at the end thereof the words “, except in the
17 district of Hawaii where the term shall be six years”;
18 and

19 (d) subsection (d) of section 541 of title 28,
20 United States Code, is repealed.

21 SEC. 12. No writ, action, indictment, cause, or pro-
22 ceeding pending in any court of the Territory of Hawaii
23 or in the United States District Court for the District
24 of Hawaii shall abate by reason of the admission of

1 said State into the Union, but the same shall be trans-
2 ferred to and proceeded with in such appropriate State
3 courts as shall be established under the constitution of said
4 State, or shall continue in the United States District Court
5 for the District of Hawaii, as the nature of the case may
6 require. And no indictment, action, or proceedings shall
7 abate by reason of any change in the courts, but shall be
8 proceeded with in the State or United States courts accord-
9 ing to the laws thereof, respectively. And the appropriate
10 State courts shall be the successors of the courts of the
11 Territory as to all cases arising within the limits embraced
12 within the jurisdiction of such courts, respectively, with full
13 power to proceed with the same, and award mesne or
14 final process therein, and all the files, records, indictments,
15 and proceedings relating to any such cases shall be trans-
16 ferred to such appropriate State courts and the same shall
17 be proceeded with therein in due course of law.

18 All civil causes of action and all criminal offenses which
19 shall have arisen or been committed prior to the admission
20 of said State, but as to which no suit, action, or prosecution
21 shall be pending at the date of such admission, shall be subject
22 to prosecution in the appropriate State courts or in the United
23 States District Court for the District of Hawaii in like man-
24 ner, to the same extent, and with like right of appellate re-
25 view, as if said State had been created and said State courts

1 had been established prior to the accrual of such causes of
2 action or the commission of such offenses. The admission
3 of said State shall effect no change in the substan-
4 tive or criminal law governing such causes of action and
5 criminal offenses which shall have arisen or been committed;
6 and such of said criminal offenses as shall have been com-
7 mitted against the laws of the Territory shall be tried and
8 punished by the appropriate courts of said State, and such
9 as shall have been committed against the laws of the United
10 States shall be tried and punished in the United States Dis-
11 trict Court for the District of Hawaii.

12 SEC. 13. Parties shall have the same rights of appeal
13 from and appellate review of final decisions of the United
14 States District Court for the District of Hawaii or the
15 Supreme Court of the Territory of Hawaii in any case
16 finally decided prior to admission of said State into the
17 Union, whether or not an appeal therefrom shall have been
18 perfected prior to such admission, and the United States
19 Court of Appeals for the Ninth Circuit and the Supreme
20 Court of the United States shall have the same jurisdiction
21 therein, as by law provided prior to admission of said State
22 into the Union, and any mandate issued subsequent to the
23 admission of said State shall be to the United States District
24 Court for the District of Hawaii or a court of the State, as
25 may be appropriate. Parties shall have the same rights

1 of appeal from and appellate review of all orders, judgments,
2 and decrees of the United States District Court for the
3 District of Hawaii and of the Supreme Court of the State of
4 Hawaii as successor to the Supreme Court of the Territory
5 of Hawaii, in any case pending at the time of admission of
6 said State into the Union, and the United States Court of
7 Appeals for the Ninth Circuit and the Supreme Court of the
8 United States shall have the same jurisdiction therein, as by
9 law provided in any case arising subsequent to the admission
10 of said State into the Union.

11 SEC. 14. Effective upon the admission of the State
12 of Hawaii into the Union—

13 (a) title 28, United States Code, section 1252, is
14 amended by striking out “Hawaii and” from the clause
15 relating to courts of record;

16 (b) title 28, United States Code, section 1293, is
17 amended by striking out the words “First and Ninth
18 Circuits” and by inserting in lieu thereof “First Circuit”,
19 and by striking out the words, “supreme courts of
20 Puerto Rico and Hawaii, respectively” and inserting in
21 lieu thereof “supreme court of Puerto Rico”;

22 (c) title 28, United States Code, section 1294, is
23 amended by striking out paragraph (5) thereof and by
24 renumbering paragraphs (6) and (7) as paragraphs
25 (4) and (5) respectively;

(d) the first paragraph of section 373 of title 28, United States Code, is amended by striking out the words “United States District Courts for the districts of Hawaii or Puerto Rico,” and inserting in lieu thereof the words “United States District Court for the District of Puerto Rico,”; and by striking out the words “and any justice of the Supreme Court of the Territory of Hawaii”: *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in commission as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

1 (f) section 86 of the Act approved April 30, 1900
2 ch. 339, 31 Stat. 158), as amended, is repealed;

3 (g) section 3771 of title 18, United States Code,
4 as heretofore amended, is further amended by striking
5 out from the first paragraph of such section the words
6 “Supreme Courts of Hawaii and Puerto Rico” and
7 inserting in lieu thereof the words “Supreme Court of
8 Puerto Rico”;

9 (h) section 3772 of title 18, United States Code, as
10 heretofore amended, is further amended by striking out
11 from the first paragraph of such section the words
12 “Supreme Courts of Hawaii and Puerto Rico” and
13 inserting in lieu thereof the words “Supreme Court of
14 Puerto Rico”;

15 (i) section 91 of title 28, United States Code, as
16 heretofore amended, is further amended by inserting after
17 “Kure Island” and before “Baker Island” the words
18 “Palmyra Island,”; and

19 (j) the Act of June 15, 1950 (64 Stat. 217; 48
20 U.S.C., sec. 644a), is amended by inserting after
21 “Kure Island” and before “Baker Island” the words
22 “Palmyra Island,”.

23 SEC. 15. All Territorial laws in force in the Territory
24 of Hawaii at the time of its admission into the Union
25 shall continue in force in the State of Hawaii, except as

1 modified or changed by this Act or by the constitution
2 of the State, and shall be subject to repeal or amendment by
3 the Legislature of the State of Hawaii, except as herein-
4 before provided with respect to the Hawaiian Homes Com-
5 mission Act, 1920, as amended; and the laws of the United
6 States shall have the same force and effect within the said
7 State as elsewhere within the United States. As used in this
8 section, the term "Territorial laws" includes (in addition to
9 laws enacted by the Territorial Legislature of Hawaii) all
10 laws or parts thereof enacted by the Congress the validity
11 of which is dependent solely upon the authority of the Con-
12 gress to provide for the government of Hawaii prior to the
13 admission of the State of Hawaii into the Union, and the
14 term "laws of the United States" includes all laws or parts
15 thereof enacted by the Congress that (1) apply to or within
16 Hawaii at the time of the admission of the State of Hawaii
17 into the Union, (2) are not "Territorial laws" as defined
18 in this paragraph, and (3) are not in conflict with any other
19 provision of this Act.

20 SEC. 16. (a) Notwithstanding the admission of the
21 State of Hawaii into the Union, the United States shall con-
22 tinue to have sole and exclusive jurisdiction over the area
23 which may then or thereafter be included in Hawaii National
24 Park, saving, however, to the State of Hawaii the same
25 rights as are reserved to the Territory of Hawaii by section

1 1 of the Act of April 19, 1930 (46 Stat. 227), and saving,
2 further, to persons then or thereafter residing within such
3 area the right to vote at all elections held within the political
4 subdivisions where they respectively reside. Upon the ad-
5 mission of said State all references to the Territory of Hawaii
6 in said Act or in other laws relating to Hawaii National
7 Park shall be deemed to refer to the State of Hawaii. Noth-
8 ing contained in this Act shall be construed to affect the
9 ownership and control by the United States of any lands or
10 other property within Hawaii National Park which may now
11 belong to, or which may hereafter be acquired by, the United
12 States.

13 (b) Notwithstanding the admission of the State of Hawaii
14 into the Union, authority is reserved in the United States,
15 subject to the proviso hereinafter set forth, for the exercise by
16 the Congress of the United States of the power of exclusive
17 legislation, as provided by article I, section 8, clause 17, of
18 the Constitution of the United States, in all cases whatsoever
19 over such tracts or parcels of land as, immediately prior to
20 the admission of said State, are controlled or owned by
21 the United States and held for Defense or Coast Guard
22 purposes, whether such lands were acquired by cession
23 and transfer to the United States by the Republic of
24 Hawaii and set aside by Act of Congress or by Executive
25 order or proclamation of the President or the Governor of

1 Hawaii for the use of the United States, or were acquired by the
2 United States by purchase, condemnation, donation, exchange,
3 or otherwise: *Provided*, (i) That the State of Hawaii shall
4 always have the right to serve civil or criminal process within
5 the said tracts or parcels of land in suits or prosecutions for or
6 on account of rights acquired, obligations incurred, or crimes
7 committed within the said State but outside of the said tracts
8 or parcels of land; (ii) that the reservation of authority
9 in the United States for the exercise by the Congress of the
10 United States of the power of exclusive legislation over the
11 lands aforesaid shall not operate to prevent such lands from
12 being a part of the State of Hawaii, or to prevent the said
13 State from exercising over or upon such lands, concurrently
14 with the United States, any jurisdiction whatsoever which it
15 would have in the absence of such reservation of authority
16 and which is consistent with the laws hereafter enacted by
17 the Congress pursuant to such reservation of authority; and
18 (iii) that such power of exclusive legislation shall vest and
19 remain in the United States only so long as the particular
20 tract or parcel of land involved is owned by the United States
21 and used for military, naval, Air Force, or Coast Guard
22 purposes.

23 SEC. 17. The first paragraph of section 2 of the
24 Federal Reserve Act (38 Stat. 251) is amended by strik-
25 ing out the last sentence thereof and inserting in lieu

1 of such sentence the following: "When the State of Hawaii
2 or any State is hereafter admitted to the Union the Federal
3 Reserve districts shall be readjusted by the Board of Gov-
4 ernors of the Federal Reserve System in such manner as to
5 include such State. Every national bank in any State shall,
6 upon commencing business or within ninety days after ad-
7 mission into the Union of the State in which it is located,
8 become a member bank of the Federal Reserve System by
9 subscribing and paying for stock in the Federal Reserve
10 bank of its district in accordance with the provisions of this
11 Act and shall thereupon be an insured bank under the Fed-
12 eral Deposit Insurance Act, and failure to do so shall subject
13 such bank to the penalty provided by the sixth paragraph
14 of this section."

15 SEC. 18. (a) Nothing contained in this or any other
16 Act shall be construed as depriving the Federal Maritime
17 Board of the exclusive jurisdiction heretofore conferred on
18 it over common carriers engaged in transportation by water
19 between any port in the State of Hawaii and other ports
20 in the United States, its Territories or possessions, or as
21 conferring on the Interstate Commerce Commission juris-
22 diction over transportation by water between any such ports.

23 (b) Effective on the admission of the State of Hawaii
24 into the Union—

25 (1) the first sentence of section 506 of the Merchant

1 Marine Act, 1936, as amended (46 U. S. C., sec.
2 1156), is amended by inserting before the words “and
3 island possession or island territory”, the words “the
4 State of Hawaii, or”;

5 (2) section 605 (a) of the Merchant Marine Act,
6 1936, as amended (46 U.S.C., sec. 1175), is amended
7 by inserting before the words “an island possession or
8 island territory”, the words “the State of Hawaii, or”;
9 and

10 (3) the second paragraph of section 714 of the Mer-
11 chant Marine Act, 1936, as amended (46 U.S.C., sec.
12 1204), is amended by inserting before the words “an
13 island possession or island territory” the words “the
14 State of Hawaii, or”.

15 SEC. 19. Nothing contained in this Act shall operate to
16 confer United States nationality, nor to terminate nation-
17 ality heretofore lawfully acquired, nor restore nationality
18 heretofore lost under any law of the United States or under
19 any treaty to which the United States may have been a
20 party.

21 SEC. 20. Section 101 (a) (36) of the Immigration and
22 Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101 (a) (36))
23 is amended by deleting the word “Hawaii,”.

24 SEC. 21. Section 212 (d) (7) of the Immigration and
25 Nationality Act (66 Stat. 188, 8 U.S.C. 1182 (d) (7))

1 is amended by deleting from the third line of the first sen-
2 tence thereof the word "Hawaii," and by deleting the proviso
3 contained in the first sentence thereof.

4 SEC. 22. The first sentence of 310 (a) of the Immigra-
5 tion and Nationality Act (66 Stat. 239, 8 U.S.C. 1421 (a))
6 is amended by deleting the words "District Courts of the
7 United States for the Territories of Hawaii and Alaska" and
8 substituting therefor the words "District Court of the United
9 States for the Territory of Alaska".

10 SEC. 23. Nothing contained in this Act shall be held
11 to repeal, amend, or modify the provisions of section 305 of
12 the Immigration and Nationality Act (66 Stat. 237, 8
13 U.S.C. 1405) .

14 SEC. 24. If any provision of this Act, or any section,
15 subsection, sentence, clause, phrase, or individual word, or
16 the application thereof to any person or circumstance is
17 held invalid, the validity of the remainder of the Act and
18 of the application of any such provision, section, subsection,
19 sentence, clause, phrase, or individual word to other persons
20 and circumstances shall not be affected thereby.

21 SEC. 25. All Acts or parts of Acts in conflict with the
22 provisions of this Act, whether passed by the legislature of
23 said Territory or by Congress, are hereby repealed.

A BILL

To provide for the admission of the State of
Hawaii into the Union.

By Mr. MURRAY, Mr. ALIOTT, Mr. ANDERSON, Mr.
BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr.
CANNON, Mr. CARROLL, Mr. CASE of South Dakota,
Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH,
Mr. CLARK, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS,
Mr. ENGLE, Mr. FREAR, Mr. GOLDWATER, Mr. GREEN,
Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HEN-
NINGS, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON,
Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. LONG,
Mr. MCCARTHY, Mr. MCGEE, Mr. McNAMARA, Mr.
MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MOR-
TON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr.
O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr.
RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs.
SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey,
Mr. YARBOROUGH, Mr. YOUNG of North Dakota,
and Mr. Young of Ohio

JANUARY 9 (legislative day, JANUARY 8), 1959

Read twice and referred to the Committee on Interior
and Insular Affairs

Commonwealth of Puerto Rico, at such time, in such manner, and covering such subject matter as the Secretary of State may prescribe. Students shall be appointed in the order of their merit as established by such examination.

SEC. 10. The students of the U.S. Foreign Service Academy shall receive the same pay and allowances as are received by cadets at West Point.

SEC. 11. The course of instruction and training for students at the Academy shall be prescribed by the Secretary of State, and shall be the equivalent of the curriculum prescribed by accredited colleges and universities as a prerequisite to the granting of the degree of bachelor of arts. In prescribing such course of instruction and training, the Secretary of State shall provide that special emphasis be placed on the study of the history, culture, customs, folklore, and language or languages of the nations in which cadets may serve and provide for field studies in such nations. The Academy may arrange to assign temporarily selected students to the Air, Military, and Naval Academies of the United States for instruction in military observation. Upon satisfactory completion of the prescribed course of instruction and training, students shall be granted the degree of bachelor of arts.

SEC. 12. Each student selected for admission to the Academy shall sign an agreement that, unless sooner separated, he will—

(1) Complete the course of instruction at the Academy; and

(2) Accept an appointment and service, as an officer or employee of the United States in any position for which he is qualified by reason of his special training at the Academy, for at least the 3 years immediately following the granting of his degree from the Academy.

SEC. 13. (a) The course of study at the Academy shall, during each year of its operation, be organized as follows:

(1) The months of September to May, inclusive, shall be devoted to classroom instruction of students at the Academy;

(2) The period from June 1 to June 30, inclusive, shall be devoted to annual leave for all students;

(3) The months of July and August shall be devoted to practical field training for students at the Academy.

(b) Such field training shall consist of assigning students for service positions under appropriate departments of the government, whether within or outside the United States, by a faculty board on field training, with the approval of the Secretary of State.

SEC. 14. (a) Each graduate of the Academy shall be available for appointment as an officer or employee of the United States, in any position for which he is qualified by reason of his special training at the Academy, in accordance with the following priorities:

(1) The Department of State;
(2) The Department of Commerce;
(3) The Department of Agriculture;
(4) The Department of the Treasury;
(5) The Department of Health, Education, and Welfare; and

(6) Any other department, agency, or instrumentality of the United States.

(b) The Secretary of State may, notwithstanding any provision of the Foreign Service Act of 1946, appoint a graduate of the Academy as an officer in the Foreign Service of the United States.

SEC. 15. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

(b) The U.S. Foreign Service Academy shall have power to acquire and hold real and personal property and may receive and accept gifts, donations, and trusts.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my friend from Tennessee.

Mr. KEFAUVER. I congratulate the Senator from Missouri upon the introduction of this measure. I think it is one of the most important proposals for peace and for our proper representation abroad which will be before Congress. I certainly hope the bill will be passed at an early date.

Mr. SYMINGTON. I thank the distinguished Senator from Tennessee for his kind statement.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. YARBOROUGH. I commend the distinguished Senator from Missouri upon the introduction of his bill. It was my privilege in the past session to be a cosponsor of a similar bill introduced by the distinguished Senator from Montana [Mr. MANSFIELD]. I think the Senator from Missouri by introducing the bill this early in the session and urging its immediate consideration has shown leadership in this important matter.

Mr. SYMINGTON. I thank the Senator from Texas for his remarks. I have discussed this matter with the distinguished junior Senator from Montana [Mr. MANSFIELD]. There is a difference between the bill which I have introduced and the bill which the Senator from Montana introduced in the last session, and which was cosponsored by the Senator from Texas. Their bill provided for graduate study. I believe it is important that we have an undergraduate academy for the training of foreign service personnel comparable to our military academies.

CONSTRUCTION OF SAN LUIS UNIT, CENTRAL VALLEY PROJECT, CALIF.

Mr. KUCHEL. Mr. President, the great and constantly growing State of California continues to grapple with tremendous problems which have a decided national as well as local interest. Foremost among these is our seemingly perpetual question of making most effective use of natural resources and the pressing matter of meeting an ever-mounting demand for water.

On behalf of my colleague, the junior Senator from California [Mr. ENGLE], and myself, I am introducing a new version of a bill which has been before the Congress for approximately 4 years, a bill to authorize construction of the San Luis project on the west side of the San Joaquin Valley.

This bill is a refinement of the legislation which last year was favorably reported by our Interior and Insular Affairs Committee, after two sets of hearings and considerable negotiation between Federal and State authorities, and which shortly before final adjournment was passed by the Senate.

From time to time during my service in this body, I have had occasion, Mr. President, to discuss the importance of Fed-

eral assistance to California in the fields of flood control and water conservation. In view of the fact that we now have a substantial number of new colleagues, I feel it is incumbent upon me to mention the reason why this particular San Luis bill is regarded as deserving of very high priority by my distinguished colleague and myself.

In introducing this measure, I wish to point out to the Senate that I have the privilege of joining in presenting legislation on water matters with an experienced attorney and legislator who long has been concerned with natural resources. The Senate will have the benefit of the knowledge gained by my colleague during his years of service in the other body where he ultimately became chairman of the important Committee on Interior and Insular Affairs.

It has been my own policy never to propose a water project in California for Federal construction until the responsible officials of my State have formally recommended Federal participation in efforts to assure the maximum utilization and conservation of our precious water resources. This is particularly true in the case of the measure I am introducing today.

The San Luis bill, which would authorize an integrated project to be jointly financed and operated by the Bureau of Reclamation and the State of California, has been drafted in consultation with both Federal and State agencies. It is definitely in response to the desires of the State department of water resources and will mean a working partnership to supply a variety of needs.

California has unique water problems. For a large part of our State, the vagaries of nature subject our people to literal feast-or-famine cycles. In the current rainy season now well advanced, most of California is becoming uneasy about the smallest amount of precipitation in decades, even in generations. Yet many of my distinguished colleagues will recall that only 3 years ago, at the opening of the 2d session of the 84th Congress, I was taking an active part in proposing emergency measures for flood relief because of the devastation suffered over extensive sections of central and northern California from unseasonable storms.

The San Luis project would be another vital step toward more efficient and more orderly utilization of water. It would supply water for nearly 500,000 acres of agricultural land in an area where farming necessarily has been reduced and curtailed because of lowering water tables. It would provide storage and regulating facilities for a gigantic inter-basin exchange by which the State of California intends to move surplus Feather River water from northern California to the water-hungry and thickly settled Los Angeles-San Diego area.

The State of California is embarked on a plan of self-help in this field. However, it definitely needs the cooperation and assistance of the Federal Government. This bill will provide for the maximum efficiency and greatest return

on a substantial investment by allowing the Federal and the State agencies to join hands in building a feasible and an urgent project.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 44) to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes, introduced by Mr. KUCHEL (for himself and Mr. ENGLE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXCLUSION OF CERTAIN WAGES FROM WITHHOLDING TAX

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax.

There is clear justification and important need for this improvement in our Federal tax policies as they concern payments by welfare departments to persons employed on work relief projects.

The maximum amount which can be paid on a work relief project is limited to the amount determined by welfare agencies as necessary to meet the minimum needs of the beneficiary and his dependents for food, clothing, shelter, and personal needs.

Obviously, if Federal income taxes are withheld from payments determined at the level of minimum needs, the take-home pay remaining will not be sufficient to meet those needs. Therefore, it becomes necessary for the local government to increase the size of the payment sufficiently to cover the income tax withheld. In effect, the local government is required to pay the individual income tax in addition to providing support for the dependent person and his family.

Under the existing situation, local governments which provide work relief instead of direct relief payments are penalized.

This problem is a particularly serious one for Milwaukee County. County officials estimate that passage of this bill would result in savings to the county of more than \$35,000 per year.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 45) to amend the Internal Revenue Code of 1954 to provide that wages paid by States and political subdivisions to individuals employed on relief projects shall not be subject to the withholding tax, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Finance.

STATEHOOD FOR HAWAII

Mr. MURRAY. Mr. President, I send to the desk for appropriate reference a bill to admit the populous and prosper-

ous American Territory of Hawaii into the Union as a State of the United States. Appropriately, I have requested that the symbolic number S. 50 be assigned to this measure.

Joining me as sponsors of this historic legislation are more than 50 distinguished Senators from both sides of the aisle and from all sections of the United States. This number of cosponsors, plus those other Senators who have assured me that, although for one reason or another they did not wish to cosponsor the bill, they nevertheless would support the measure and vote for it, means that a clear and undisputed majority of the Members of the Senate of the 86th Congress believe that Hawaii should have statehood this session of this Congress. This conviction is also, I am certain, that of the great majority of the American people.

Mr. President, I ask unanimous consent that the names of the distinguished Senators who are cosponsors to the Hawaii statehood bill be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. CANNON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FREAR, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGSON, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. LONG, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs. SMITH, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota.

Mr. MURRAY. Mr. President, it is significant that this list of sponsors includes so many able Senators from both parties and from all parts of the country. This year, as in past years, Hawaii statehood is bipartisan and a nonpartisan cause. It has had, and has now, the support of President Eisenhower, as it had that of Presidents Truman and Roosevelt.

Mr. President, proposed legislation on statehood for Hawaii has been before the Congress of the United States, off and on, for four decades, beginning with H.R. 15865 in 1919, in the 65th Congress. Hearings and investigations of the issue by Congress began in 1935.

EIGHTEEN CONGRESSIONAL HEARINGS HELD

Since that time no less than 18 full-scale hearings and investigations have been conducted by committees of Congress on the issue of statehood for Hawaii, both in the Territory itself and here in the National Capital. Few, indeed, are the issues that come before us that have been as thoroughly and as well explored and considered as has statehood for Hawaii.

The measure the majority of Senators, including myself, are sponsoring today is identical with S. 50, as reported by the Committee on Interior and Insular Affairs in the 85th Congress. That bill, in turn, was similar in its substantive provi-

sions to the Hawaii statehood bill in the 84th Congress, which was based on the statehood bill that was debated for a full month in this body in 1954, and was finally approved by a substantial majority.

I cite this long and impressive legislative history, Mr. President, only to emphasize that the facts and issues concerning statehood for Hawaii already are well known. A most complete record is before this body.

OPPORTUNITIES TO HAVE OPPORTUNITY TO BE HEARD

I cannot believe that any public purpose would be served by long and protracted public hearings again this year. However, I do urge that hearings be held, but that they be limited, as far as possible, to any new evidence that may be pertinent and to the reception of the views of those in opposition to Hawaiian statehood. It is most important that the hearings be held at an early date in this 1st session of the 86th Congress.

Mr. President, I have been a student of statehood for Hawaii for many years, and recently I made a personal inspection trip to the Territory, on behalf of the committee. I visited all of the islands of the Territory, and talked with persons in all walks of life and of various political persuasions.

From my long study and my personal findings, I am convinced that the 600,000 American citizens of Hawaii meet each and every one of our historic tests of readiness for statehood and fitness for it. The overwhelming majority of the people want statehood, and are ready, willing and able to support it.

STATEHOOD IN BEST INTERESTS OF NATION

I am equally convinced that statehood for Hawaii would be in the best interests of the Nation as a whole, as well as in the best interests of the more than a half million Americans of Hawaii. The Territory is blessed with great riches of soil, climate, and people. It has the highest productivity in the entire world for sugar and pineapples. Its climate, scenic beauty, accessibility, and facilities make it one of the foremost recreation spots of the world. Its people are industrious, well-educated in one of the top-ranking school systems under the American flag, and imbued with an unflagging zeal and patriotism for America, as shown by their record on the battlefields of Europe and Korea.

The admission of Hawaii would also constitute a singular achievement in diplomacy. What could be a better argument than this to the critical Far Eastern area that the United States is still the land of promise for people of all backgrounds? The Hawaiian Americans of Japanese and other oriental backgrounds will be the living example that we live by principles of freedom and self-determination for all people. These thoroughly American people of oriental background can be a catalyst of untold value in accomplishing understanding where understanding is most needed.

Mr. President, Hawaii is the sole remaining incorporated Territory under the American flag. It is the only remaining area that has met our historic tests for statehood.

Hawaii, with its long period of tutelage for statehood as an incorporated Territory, with its large, thoroughly American population, its economic development, the splendid war record of its people in fighting and dying for American ideals in both Europe and Asia, and the desire of its people for statehood, fits perfectly into the historic pattern under which our Nation has grown great.

I most earnestly urge that we follow this path of greatness.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 50) to provide for the admission of the State of Hawaii into the Union, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF ACT OF AUGUST 5, 1954, RELATING TO INDIAN HEALTH

Mr. MURRAY. Mr. President, on behalf of the Senators from Arizona [Mr. HAYDEN and Mr. GOLDWATER], the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senators from Oregon [Mr. MORSE and Mr. NEUBERGER], the junior Senator from Idaho [Mr. CHURCH], the junior Senator from Utah [Mr. MOSS], the junior Senator from Montana [Mr. MANSFIELD] and myself, I introduce, for appropriate reference, a bill to amend the act of August 5, 1954, which transferred responsibility for Indian health from the Department of the Interior to the Public Health Service.

The purpose of the bill is to authorize the Public Health Service to provide basic sanitation facilities on Indian reservations. The bill we introduce today is identical to S. 3694, as approved unanimously during the 2d session of the 85th Congress by the Senate Committee on Labor and Public Welfare, the Senate, and the House Committee on Interstate and Foreign Commerce. A single objection in the other House during the closing hours of the 85th Congress prevented its passage.

The administration favors this bill, and so reported to the Committee on Labor and Public Welfare last year. The Indians favor this bill, as evidenced by the editorial from the December 1, 1958, "NCAI Bulletin" published by the National Congress of American Indians, which will appear following these remarks.

The need for improved Indian sanitation facilities is great and urgent, as indicated by an article entitled, "Indian Health, 1958," appearing in the fall, 1958, issue of "Calumet," published by the Marquette League. The author of the article is Forrest J. Gerard, tribal relations officer of the Indian Health Division of the Public Health Service. Mr. Gerard, I am proud to add, is a member of the great Blackfeet Tribe of Montana, where last year a tragic outbreak of polio resulted from inadequate sanitation facilities.

Mr. Gerard's article will appear following these remarks, but I want to call particular attention to some of the grim statistics he cites, as follows:

Twenty-two percent of all Indian deaths occur before the first year of life, compared to only seven percent for corresponding age groups in the general population. Moreover, nearly a third of all Indian deaths are accounted for before the fifth year of life, compared to eight percent in the population as a whole. This high infant mortality rate is largely responsible for the early average age at the time of death for Indians—39 years compared to the national figure of 61 years.

Mr. Gerard reports that a recent Public Health Service survey covering environmental sanitation conditions on a large Southwest Indian reservation revealed the following:

Forty-five percent of the Indians have no facilities for excreta disposal, other than the grounds around the dwellings.

Sixty-two percent of the houses have no screening.

Twenty-five percent live in "wickiups" which are constructed of saplings, yucca fronds, or other wild long-leaved plants.

Eighty-eight percent use unsafe, contaminated water supplies.

Great strides have been made in Indian health during the past few years, under the Public Health Administration. Yet, as Mr. Gerard has pointed out, "it is a hard fact that more than half of the deaths and most of the illnesses among the Indians are caused by diseases and conditions that can be prevented or controlled."

My distinguished and most able colleague from Montana [Mr. MANSFIELD], who obtained speedy Senate approval of S. 3694 last year, is particularly aware of the need for this legislation. Only last month the Montana State Board of Health reported that on the Fort Belknap and Rocky Boy Reservations, in Montana, only about 5 percent of the Indians have a safe water supply within one-quarter of a mile from their homes, and less than 10 percent have safe water storage and proper garbage disposal.

"Treasure State Health," published by the State board of health, concluded that "the passage of the sanitary facilities bill by Congress is of utmost importance to help improve this horrible condition."

It is my hope that this bill will become one of the first public laws of the 86th Congress.

Mr. President, it may be that additional Senators who have not had an opportunity to study this problem during these busy opening days of the new session may wish to cosponsor this bill. Therefore, I ask unanimous consent that the bill lie on the table until Tuesday, January 13.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MURRAY. Mr. President, I also ask unanimous consent that the editorial entitled "These Children Must Live," from the December 1, 1958, issue of the "NCAI Bulletin," and the article "Indian Health, 1958," from the fall, 1958, issue of "Calumet," be printed in the RECORD immediately following these remarks.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

INDIAN HEALTH—1958

(By Forrest J. Gerard)

Historically, responsibility for Indian health dates from the time the Indians were located on reservations by the Federal Government, and were under the jurisdiction of the War Department. Thus the first contact that the Indian had with the white man's medicine was through the Army medical officers on their reservations. In 1849, the Department of the Interior was made responsible for Indian affairs, and a more comprehensive program for medical care began to evolve.

Only July 1, 1955, this responsibility was transferred from the Department of the Interior's Bureau of Indian Affairs to the U.S. Public Health Service. In assuming its new role as family doctor, community hospital, and local health department for some 380,000 Indians and Alaska Natives, the Public Health Service accepted a mandate from Congress to raise the level of health among these peoples to one which will compare favorably with that of the population as a whole.

Significant progress has been made by the Public Health Service's Division of Indian Health since the transfer in 1955. Facts and figures relating to this progress become more meaningful when considered against the background of serious Indian health problems. In many respects health conditions among the Indians today are similar to those which prevailed generally in this country a half century ago. Despite recent progress in health and medicine, our Indian citizens bear undue burdens of preventable illness and early loss of life. Such a conclusion is backed by hard facts.

Infant mortality is excessively high in the Indian population of the United States; 22 percent of all Indian deaths occur before the first year of life, compared to only 7 percent for corresponding age groups in the general population. Moreover, nearly a third of all Indian deaths are accounted for before the fifth year of life, compared to 8 percent in the population as a whole. This high infant mortality rate is largely responsible for the early average age at the time of death for Indians—39 years compared to the national figure of 61 years.

Communicable diseases, which for the most part have been brought under control in the general population by known and proven public health measures, continue to cause a disproportionate amount of illness and resultant deaths among Indians in the continental United States. The Indian death rate from tuberculosis is 4 times that of our general population. The death rate from gastro-enteric diseases is 6 times greater, and from influenza and pneumonia it is 4 times greater than corresponding death rates for the rest of the country.

Adverse environmental conditions play an important role in the substandard health status of Indians. A recent Public Health Service survey covering environmental sanitation conditions on a large Southwest Indian reservation reveals the following grim picture:

Housing: 71 percent live in frame houses; 25 percent live in "wickiups" (constructed of saplings, yucca fronds or other wild long-leaved plants); 76 percent live in 1- or 2-room houses as compared with 20 percent for the entire State; 42 percent live in houses with 3 or more persons per room. A mere 20 percent of the houses have electricity.

Wastes: 45 percent have no facilities for excreta disposal other than the grounds around the dwellings; 28 percent have privies of faulty construction; 23 percent have satisfactory privies; 4 percent have inside toilets.

Premise sanitation: 7 percent of houses have refrigeration; 12 percent of houses have full screening; 26 percent of houses have partial screening; 62 percent of houses have no screening.

Water supply: 12 percent use approved sources which are safe; 88 percent use unsafe, contaminated supplies; 5 percent of houses have water piped inside; 95 percent must haul water distances up to 3 miles.

Water must be hauled by hand, donkey, or burro, and by car.

Sources include wells, infiltration galleries, irrigation ditches, rivers, and springs. Conditions similar to these are to be found on practically every Indian reservation now being served by the Public Health Service. Such environmental conditions have a direct relationship to the high incidence of tuberculosis, gastro-enteric diseases, influenza and pneumonia, and other communicable diseases that are prevalent on the Indian reservation.

Progress in the improvement of Indian health reflects advancements made in both the prevention and treatment of important disease categories. Tuberculosis, which for many years was the leading cause of death among Indians, now ranks seventh as a death cause. Between 1954 and 1956, the death rate from this disease dropped 25 percent among Indians outside Alaska. Among Alaska natives, the rate dropped 57 percent during the same period. New cases of tuberculosis reported among Indians outside Alaska have dropped 25 percent since 1954—from 570 cases per 100,000 population in 1954 to 425 in 1957.

At the time of the transfer in July, 1955, hundreds of Indians with active tuberculosis could not receive needed hospital treatment due to a lack of beds. To remedy this situation the Public Health Service launched a "crash program" obtaining on a contract basis sorely needed hospital beds and the services of medical specialists required for the treatment of tuberculosis. So successful was this effort that all known tuberculosis patients who are beneficiaries of the Indian health program in need of hospital care and willing to accept it are receiving such treatment.

In the isolated, scattered, and remote Alaska villages, our tuberculosis case-finding activities and chemotherapy service have been intensified and expanded. As a result only 1 out of every 50 Alaska natives now is under hospital treatment for this disease, compared with 1 out of 30 $2\frac{1}{2}$ years ago. There are no Alaska patients on waiting lists.

Important progress is being made in the task of reducing premature death among the Indian population. From 1954 to 1957, the Indian infant death rate has dropped from 65.5 deaths in each 1,000 babies born alive, to 54.6 percent. The effectiveness of the team approach, comprising the physician, nurse, health education worker, and sanitation specialist is beginning to be reflected by the decline in infant mortality. The Indian people themselves are recognizing the necessity of making greater use of medical services as a means of improving their health status. Hospital admissions in Public Health Service hospitals (55) and contract facilities (about 160) were 32 percent higher in 1957 than in 1955. The 7,300 births reported in hospitals operated directly for Indians represent an increase of 10 percent over 1955. Services provided by hospital staffs at outpatient clinics increased 33 percent over 1955.

The major challenge in Indian health continues to be the prevention of disease. Much of the effort for prevention is carried on in the larger Indian health centers and smaller health facilities, located in close proximity to the localities where Indians live. Since the transfer of the Indian health program to the Public Health Service, field health services have been extended on a regularly scheduled basis to 70 health stations and their satellite

locations in the United States where no services, or only emergency services, were provided in the past. All together (in the United States exclusive of Alaska), a total of 19 health centers, 175 health stations, and 50 satellite locations now are providing one or more types of health service, such as dentistry, public health nursing, sanitation, and health education. In Alaska, 75 villages are being provided with health services.

The 19 Indian health centers which have full-time physicians' services provide therapeutic and preventive care on an outpatient basis. Services through these facilities increased 29 percent between 1955 and 1957. Visits to dental clinics increased 34 percent in the same period. At the 16 school health centers, most of which are off-reservation boarding schools operated by the Bureau of Indian Affairs outside Alaska, visits to doctors and nurses increased by 13 percent, and completed immunizations doubled in the 1 year 1956-57.

Personnel in the Indian health program have been materially increased during the past 3 years. The number of physicians has been nearly doubled; 230 are now on duty. Pharmacists have increased from 7 to 32. The sanitation staff has been more than doubled, and now is serving 60 percent of the beneficiary population. Dentists have been increased to a total of 77, almost twice the number on duty in 1955. Indian workers are being trained to assist in two important phases of the program. As community workers in health education, and as sanitarian aids in the activities conducted on reservations, they are bringing the knowledge of better health practices directly to the Indian beneficiaries in a manner that is understandable and acceptable.

While progress in Indian health is encouraging, it is a hard fact that more than half of the deaths and most of the illnesses among the Indians are caused by diseases and conditions that can be prevented or controlled. The Public Health Service is making a good beginning; much more remains to be done.

[From the National Congress of American Indians Bulletin, Dec. 1, 1958]

THESE CHILDREN MUST LIVE

Hundreds of Indian children die each year from preventable diseases. Hundreds more are crippled, or have shortened life expectancies.

According to the U.S. Public Health Service, more than a fourth of the Indian babies born in the Dakotas and Nebraska die before they are a year old. Most of the infant deaths occur during the first month, shortly after many of the babies are taken from the safety of a hospital nursery to cold, often unsanitary homes.

Though the chief causes of this alarming death rate are listed as diarrhea and dysentery, the real killer is poverty. Indian tribes are too poor to provide adequate water supplies and sanitation facilities to the people on their underdeveloped reservations. The average Indian family—still earning less than \$1,000 annually—is too poor to build and maintain the kind of home in which healthy children can grow.

Public Health officials admit that with appropriations for Indian health services at the present \$40 million level it will take a century to bring sanitation on the reservations up to minimum standards. Until these standards—adequate supplies of safe water and sanitary preparation of food and disposal of waste—are met, Indian children will continue to face early death or illness.

This is why the Public Health Service asked the last Congress to pass legislation which would permit it to help Indian tribes and families improve sanitation on the Nation's reservations.

Despite strong support from the National Congress of American Indians and other or-

ganizations, the so-called sanitation bill was blocked after Senate passage by one Congressman's objection.

We are confident that bills providing basic assistance to tribes and individuals in the improvement of reservation sanitation will be introduced early in the coming session of Congress.

NCAI is pledged to support such legislation and to work for increased appropriations for operation of Public Health Service activities in the Indian field. We are sure that these drives will receive overwhelming support from all Indians and those concerned with their welfare.

Our Indian children must be given a chance to live.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 56) to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

HOUSING ACT OF 1959

Mr. SPARKMAN. Mr. President, on behalf of myself, and Senators FULBRIGHT, YARBOROUGH, RANDOLPH, BYRD, of West Virginia, MONROE, and MORSE, I introduce, for appropriate reference, a bill to rejuvenate the Nation's housing programs and ask for its appropriate referral. Under the parliamentary procedures of many assemblies, this bill would be considered under the heading of unfinished business. I think we may consider this bill as unfinished business of the 85th Congress.

With certain exceptions, which are obviously necessary and which I shall explain, this bill is identical with the omnibus housing bill, S. 4035, that passed the Senate by voice vote on July 11, 1958. It was amended in several respects by the House Committee on Banking and Currency; and, in its amended form, it received 251 votes for passage and only 134 votes against passage.

S. 4035 failed to pass the House because it was maneuvered into a parliamentary situation enabling an opposition vote of one-third to defeat the bill. Repeated efforts to compromise controversial features of the bill were rebuffed by the administration, and the 85th Congress closed without overcoming an adamant executive branch.

Subsequently, the Nation overwhelmingly expressed its confidence in the democratic leadership of the Congress. I believe that housing legislation was one issue which contributed to this confidence. In this belief, I hope that this unfinished business—housing legislation—will be quickly enacted and forwarded to the President for signature.

Many of the provisions of this bill relate to programs which have suffered critically in the intervening months. Some of the more urgent matters are the FHA insurance authorization, the funds for urban renewal, contracting authority for public housing, the revolving fund for college housing loans, and authority to erase the backlog in applications for home loans to veterans.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: Senate committee reported nomination of Clarence Miller to be Asst. Secretary and CCC Board member. Senate debated housing bill. House passed veterans' housing loan bill. Rep. Quie introduced and discussed bill to extend Public Law 480 for 5 years. Rep. Wampler introduced and discussed depressed areas bill.

HOUSE

1. HOUSING. Passed with amendment, 310 to 89, H. R. 2256, to increase interest rates on veterans' loans from 4-3/4% to 5 1/2% and to authorize \$300,000,000 of additional direct veterans' loans in rural areas. pp. 1625-48
Rejected, 67 to 129, an amendment by Rep. Roosevelt to change the interest rate to 4-3/4 %. p. 1643
Rejected, 123 to 277, a motion by Rep. Teague to recommit the bill. p. 1647
2. DRAFT ACT EXTENSION. Began debate on H. R. 2260, to extend to July 1, 1963, the induction provisions of the Universal Military Training and Service Act. pp. 1648-49

3. WATERSHED IMPROVEMENTS. Received from the Budget Bureau a report on plans for works of improvement for the Lick Creek watershed, Tenn., and Chiltipin-San Fernando Creeks and San Diego-Rosita Creeks watersheds, Texas. p. 1656
Received from the Budget Bureau a report on plans for works of improvement for the West Hatchie Creek watershed, Miss.; Muddy Creek watershed, N. C., and Tewaukon watershed, N. D. and S. D. p. 1656

4. HAWAIIAN STATEHOOD. The Interior and Insular Affairs Committee ordered favorably reported H. R. 50, providing for statehood for Hawaii. p. D66

SENATE

5. NOMINATIONS. The Agriculture and Forestry Committee reported the nomination of Clarence L. Miller to be Assistant Secretary of Agriculture and a member of the CCC Board of Directors. pp. 1554, D64
6. HOUSING. Began debate on S. 57, the housing bill (pp. 1572-6, 1580-1620). The bill had been reported with amendment on Feb. 3 by the Banking and Currency Committee under the authority of a Senate order (S. Rept. 41) (p. 1549).
Agreed to an amendment by Sen. Cooper to reduce the authorization for direct loans to veterans from \$300 million to \$150 million. pp. 1618-20
Rejected, 32 to 58, an amendment in the nature of a substitute by Sen. Capehart which would have substituted the language of the administration-sponsored housing bill. pp. 1600-13
Received from the Budget Bureau a report on the operations of Budget Bureau Circular A-45, regarding the rental of housing by Federal agencies. p. 1549
7. FEDERAL OBLIGATIONS. Sen. Robertson inserted several tables showing "long range commitments and contingencies of the U. S. Government as of June 18, 1958," including those relating to several programs of this Department. pp. 1572-6
8. FARM PROGRAM. The "Daily Digest" states that the Agriculture and Forestry Committee "agreed to invite Secretary of Agriculture Benson to appear before it sometime during the week of February 16 to discuss the President's farm recommendations." p. D64
9. COMMITTEE ASSIGNMENTS. The Agriculture and Forestry Committee announced the appointment of membership to its standing subcommittees, as follows (p. D64):
"(1) Soil Conservation and Forestry--Senators Eastland, chairman, Johnston (South Carolina), Proxmire, Talmadge, Young (Ohio), Aiken, Hickenlooper, and Schoeppel; (2) Agricultural Credit and Rural Electrification--Senators Holland, chairman, Talmadge, Symington, Hart, Mundt, Schoeppel, and Williams; (3) Agricultural Production, Marketing, and Stabilization of Prices--Senators Johnston, chairman, Holland, Humphrey, Proxmire, Jordan, Aiken, Young, and Mundt, and (4) Agricultural Research and General Legislation--Senators Humphrey, chairman, Eastland, Symington, Jordan, Hickenlooper, Williams, and Young. Senator Ellender will be an ex officio member of each of these subcommittees."
10. FOREIGN TRADE. Received from the Office of Civil and Defense Mobilization a report on the administration of Sec. 8 of the Trade Agreements Extension Act of 1959 relative to the reduction in import duties which would threaten to impair the national security. p. 1550
11. FOREIGN BUILDINGS. Both Houses received from the State Department a proposed bill "To amend the Foreign Service Buildings Act of 1926"; to S. Foreign Relations and H. Foreign Affairs Committees. pp. 1550, 1656

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HIGHLIGHTS: House received supplemental appropriation estimate for various agencies, including USDA.

HOUSE

1. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the fiscal year 1959 (H. Doc. 58); to Appropriations Committee. (p. 2004)

These estimates include funds for Pay Act costs applicable only to appropriation items for which other supplementals are also requested. (It is expected that the Budget Bureau will transmit the balance of the pay act supplementals as a group in the near future.)

Estimates for the Department are as follows:

Agricultural Research Service:

Salaries and expenses:

Humane slaughter research	\$ 100,000
Pay Act costs	<u>a/</u> (8,396,110)

Extension Service:

Postal rate increase costs	\$	<u>b/</u> (622,827)
Pay Act costs		<u>c/</u> (162,255)

Agricultural Conservation Program:

Postal rate increase costs	<u>d/</u> (184,090)
Pay Act costs	<u>d/</u> (410,860)

Agricultural Marketing Service:

Poultry inspection	600,000
Leased wire increased costs	26,000
Postal rate increase costs	<u>a/</u> (481,000)
Pay Act costs	<u>a/</u> (2,846,278)

Conservation reserve program:

Postal rate increase costs	<u>d/</u> (82,980)
Pay Act costs	<u>d/</u> (225,770)

Commodity Stabilization Service:

Acreage allotments and marketing quotas:		
Postal rate increase costs	<u>d/</u> (13,500)	
Pay Act costs	<u>d/</u> (492,700)	

Special Activities:

Reimbursement to Commodity Credit Corporation for costs of special activities (P. L. 480 program, International Wheat Agreement, etc.) in 1958	1,336,754,811
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Commodity Credit Corporation:

To meet increased workload	<u>d/</u> (2,000,000)
Pay Act costs	<u>d/</u> (2,669,000)

Office of Information:

Postal rate increase costs	<u>a/</u> (18,000)
Pay Act costs	<u>a/</u> (59,000)

Forest Service:

Fighting forest fires	8,500,000
Pay Act costs	<u>a/</u> (5,432,200)

- a/ To be derived by transfer from the appropriation for "Conservation reserve program," fiscal year 1959.
- b/ \$559,682 to be derived by transfer from the appropriation for "Conservation reserve program," fiscal year 1959, and \$63,145 to be transferred from the subappropriation "Payments to States, Hawaii, Alaska and Puerto Rico, Extension Service," fiscal year 1959.
- c/ To be transferred from the subappropriation "Payments to States, Hawaii, Alaska, and Puerto Rico, Extension Service," fiscal year 1959.
- d/ Increase in administrative expense limitation.

2. STATEHCO. The Interior and Insular Affairs Committee reported with amendment H. R. 4221, to provide for the admission of Hawaii into the Union (H. Rept. 32). p. 2005
3. POSTAL SERVICE. A subcommittee of the Judiciary Committee ordered reported with amendment to the full Committee H. R. 2339, to codify title 39 of the U. S. Code entitled "The Postal Service." p. D83

HAWAII STATEHOOD

FEBRUARY 11, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ASPINALL, from the Committee on Interior and Insular Affairs, submitted the following

R E P O R T

[To accompany H.R. 4221]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of H.R. 4221, introduced by Representative O'Brien of New York, is to provide for the admission of the State of Hawaii into the Union.

This bill and its two companions—H.R. 4183 by Delegate Burns and H.R. 4228 by Representative Saylor—were introduced following the committee's consideration of 20 earlier 86th Congress bills and include all amendments adopted in connection therewith. These 20 bills are as follows: H.R. 50, introduced by Delegate Burns; H.R. 324, introduced by Representative Barrett; H.R. 801, introduced by Representative Holland; H.R. 888, introduced by Representative O'Brien of New York; H.R. 954, introduced by Representative Saylor; H.R. 959, introduced by Representative Sisk; H.R. 1106, introduced by Representative Berry; H.R. 1800, introduced by Representative Dent; H.R. 1833, introduced by Representative Libonati; H.R. 1917, introduced by Representative Green of Oregon; H.R. 1918, introduced by Representative Holt; H.R. 2004, introduced by Representative Younger; H.R. 2328, introduced by Representative Dooley; H.R. 2348, introduced by Representative McCormack; H.R. 2476, introduced by Representative Dulski; H.R. 2795, introduced by Representative Rivers of Alaska; H.R. 3084, introduced by Representative Ullman; H.R. 3304 introduced by Representative Hargis; H.R. 3437, introduced by Representative Anderson of Montana; and H.R. 3685, introduced by Representative Porter.

Eight days of hearings and consideration have been given to Hawaii statehood during the 86th Congress. In view of the extensive hearings on the same subject held in the 85th and earlier Congresses, it was possible to limit the 86th Congress testimony to fresh presentations.

BACKGROUND OF LEGISLATION

The House and Senate Interior and Insular Affairs Committees have held 22 hearings on the subject of statehood for Hawaii since 1935. The record on the question comprises more than 6,600 printed pages of testimony and exhibits. More than 850 witnesses have been heard in the Territory and in Washington. Seven of the hearings have been held in Hawaii (1935, 1937, 1946, 1947, 1948, 1954, and 1958). In addition, at least 12 reports have been made. (See appendix B and appendix C for index of congressional hearings on Hawaii statehood since 1935, and a listing of printed volumes thereon.)

The question of admitting Hawaii to statehood has been longer considered and more thoroughly studied than any other statehood proposal that has ever come before Congress. Thirty-six States have previously been admitted to the Union by action of Congress, yet in no single case has there been such a thoroughly careful study of the qualifications of the applicant as in the case of Hawaii.

In 1820, New England missionaries introduced the Christian religion to Hawaii. From that time forward the ties of trade and friendship between the United States and Hawaii grew progressively stronger. In 1840 the people of Hawaii adopted their first constitution, modeled along the lines of the United States Constitution. A treaty was drafted at the request of President Pierce in 1854, including in its terms the assumption that the constitutional monarchy would become a State after the example of California and Texas. That proposed treaty, cited by the Supreme Court of the United States in *Downes v. Bidwell* (182 U.S. 305), provided that—

The Kingdom of the Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution, to all the rights, privileges, and immunities of a State as aforesaid, on a perfect equality with the other States of the Union (Senate, 55th Cong., Rept. No. 681).

Although this treaty was never ratified because of the death of the Hawaiian King, the idea of statehood propounded by the President of the United States did not die. As the process of Americanization of Hawaii continued and as that nation proceeded through its constitutional development during the next 43 years, faith in the ideal of ultimate statehood grew stronger in Hawaii, and acceptance of that ideal by the people of this Nation likewise grew in strength.

A revolution later established a republic in Hawaii and annexation was again urged, but the treaty then pending in the U.S. Senate was withdrawn by President Cleveland upon his inauguration.

On September 9, 1897, the Senate of the Republic of Hawaii ratified the treaty between Hawaii and the United States which had been signed the previous June 16. The preamble to this treaty recited:

The Republic of Hawaii and the United States of America, in view of the natural dependence of the Hawaiian Islands upon the United States, of their geographical proximity thereto, of the preponderant share acquired by the United States and its citizens in the industries and trade of said Islands, and of the expressed desire of the Government of the Republic of Hawaii that those Islands should be incorporated into the United States as an integral part thereof, and under its sovereignty, have determined to accomplish by treaty an object so important to their mutual and permanent welfare (Revised Laws of Hawaii, 1945, p. 20).

The following year Senate Joint Resolution 55, 55th Congress, sponsored by Senator Newlands, of Nevada, was adopted and approved. (30 Stat. 750.) This farsighted measure, after reciting the fact that the "Government of the Republic of Hawaii [had] in due form, signified its consent," proceeded to annex to the United States "the said Hawaiian Islands and their dependencies." (See app. D.)

Based on the report of the Commission established by the Newlands resolution, organic legislation for Hawaii was enacted April 30, 1900 (31 Stat. 141; 48 U.S.C. 493), by which American citizenship was granted and the Constitution declared to "have the same force and effect within the said Territory as elsewhere in the United States."

Thus, in the language of the Supreme Court of the United States, Hawaii acquired the status of an "incorporated" Territory (182 U.S. 305), became "an integral part of the United States" (190 U.S. 197), and as such, became "destined for admission as a State" after a "period of pupilage" as a Territory (289 U.S. 537).

Beginning in 1903 the Territory of Hawaii, through its legislature has petitioned Congress for statehood on at least 17 different occasions. Since 1920, no fewer than 66 bills have been introduced in successive Congresses providing for statehood.

In June 1947, the House of Representatives passed legislation approving statehood for Hawaii by a vote of 196 to 133. This was the first time either House of the Congress had acted on a Hawaiian statehood measure. Although President Truman indicated that he would sign the bill, the Senate committee decided on further investigation.

In March 1950, the Hawaii statehood bill again passed the House of Representatives, this time by the overwhelming majority of 262 to 110. After public hearings and careful deliberation, the Senate Committee on Interior and Insular Affairs of the 81st Congress reported favorably on the measure in June 1950. However, the time element and impending legislation involving matters of international concern kept the bill from reaching the floor of the Senate before Congress adjourned.

Before the 82d Congress was 5 months old, the Senate committee had repeated its endorsement of the Hawaii statehood bill, but again the reported Hawaii statehood bill was not brought up for debate and decision on its merits.

On March 10, 1953, the House of Representatives for the third time passed and sent to the Senate a measure to enable Hawaii to become a State. This was Representative Saylor's H.R. 3575, which was approved by a vote of 274 to 138.

On April 1, 1954, the Hawaii-Alaska Enabling Act was passed by the Senate by a vote of 57 to 28.

In the 84th Congress statehood for Hawaii and Alaska was considered jointly in comprehensive hearings. On May 10, 1955, Representative Engle's H.R. 2535 was recommitted by the House to the Committee on Interior and Insular Affairs by a vote of 218 to 170.

On August 23, 1958, in the closing days of the 85th Congress, the Committee on Interior and Insular Affairs, by a vote of 22 to 4, reported H.R. 49, introduced by Delegate Burns, to the House, but the bill was not scheduled for floor debate.

MAJOR PROVISIONS OF H.R. 4221

State boundaries

Under H.R. 4221 the boundaries of the new State will include all of the islands and territorial waters of the Territory of Hawaii, except the island of Palmyra. Palmyra Island is a small island 960 miles south of Honolulu and is owned by one family. The committee does not believe that it is an appropriate part of the State unit even though it has, for census purposes, been included within Honolulu County.

The bill specifically excludes certain other islands which are not considered to be part of the Territory.

Voter plebiscite

By plebiscite the qualified voters of Hawaii will adopt or reject three propositions: (a) Providing for immediate statehood, (b) acceptance of the boundaries of the new State, and (c) acceptance of all the provisions contained in the statehood bill. The new State will not be admitted to the Union if any of these three is turned down by the electorate.

State constitution

On November 7, 1950, the voters of Hawaii adopted a constitution for their proposed new State by a 3 to 1 majority. The proposed constitution, which is reprinted as appendix A of this report, follows closely the Federal constitution, which it specifically and unequivocally adopts. It has won wide acclaim and has been commended by the National Municipal League as having set "a new high standard in the writing of a modern State constitution by a convention." H.R. 4221 confirms and ratifies this constitution.

Hawaiian Homes Commission

In 1920 the Congress enacted the Hawaiian Homes Commission Act. By the terms of the act certain lands were set aside out of the public domain to be used for the benefit and welfare of native Hawaiians. The act also established several funds for particular uses which funds are supported by revenues from the lands set aside. The administration of the act was vested in a commission.

Section 4 of H.R. 4221 provides that the Hawaiian Homes Commission Act, as amended, shall be adopted as a provision of the State constitution. The State will maintain the basic aims and purposes

of the act unless the United States consents to changes in them. The effect of the provision will be to require the State to assume responsibility for the welfare of native Hawaiians in accordance with the Hawaiian Homes Commission Act, making only such changes in administrative and certain other details without the consent of Congress as are necessary to implement the purposes of the act under changing circumstances.

Land grants

When Hawaii was annexed in 1898 the crown lands of the former monarchy and the Government lands became Federal lands. Through the years some of these lands have been set aside for special purposes and others have been exchanged for different lands. Those remaining in unreserved Federal ownership are, for the most part, mountainous and of little value. The Territory has administered the public lands, except Federal reservations, for the United States since annexation and has collected the revenues and spent them for public purposes.

Section 5 of the bill provides that the State of Hawaii shall succeed to the title now held by the Territory to most of the remaining ceded lands, saving to the United States title to all lands set aside for public use under acts of Congress, Executive orders, or Presidential or gubernatorial proclamations. The section also provides that title to any public lands which are controlled by the United States under permit, license, or permission issued by the Territory of Hawaii and which may during the ensuing 5-year period be set aside for the use of the United States by congressional act or Presidential order shall remain in the United States. It also retains in effect the President's authority to restore lands to their previous status after admission. The use of and benefits from the granted lands will remain the same as they now are.

Election of State and Federal officials

As soon as possible after the enactment of the act the President is required to certify the fact to the Governor who will call an election of all State elective officers provided in the proposed State constitution and of two Senators and one Representative in Congress.

This additional Representative in Congress will cause a temporary increase in the overall membership of the House until the next apportionment, but the bill does not change the basis for apportionment or the permanent overall membership.

The judicial system

Hawaii presently has a Federal district court which handles matters common to United States district courts in the States. There is also a system of Territorial courts which functions like a State court system. The bill converts the existing Federal court into a regular United States district court with powers derived from article III, section 1, of the Constitution of the United States. The Territorial courts will, in effect, become State courts. Since the successor courts will be parallel in function to the existing courts, there is no problem of dividing up the matters now handled by any one court.

Maritime matters

Hawaii is on many trade routes to and from the Orient. Therefore, it has been a common port of call for American vessels in foreign

trade. Such vessels are often granted certain Federal subsidies to better enable the American merchant marine to compete with foreign fleets. One of the conditions to grants of subsidies is that such vessels will not engage in domestic trade in competition with the nonsubsidized coastwise and intercoastal carriers. The protected routes granted to nonsubsidized vessels include trade between the continental United States and any American possession or Territory. The Merchant Marine Act, 1936, made an exception to this rule by allowing subsidized vessels to call at Hawaii while on a voyage in foreign trade, making an adjustment in subsidies to prevent improper competition. This type of shipping is an integral part of the important Hawaiian shipping industry. To change it would cause serious and unnecessary confusion. The bill retains the right of such subsidized vessels to continue calling at Hawaii after statehood on the same conditions as now exist.

Immigration and nationality

The immigration and nationality laws of the United States are extended to Hawaii in the same manner as they are to other States in the Union.

GEOGRAPHY

The Territory consists of eight major islands and many smaller ones in the Hawaiian Archipelago. The islands lie about 2,200 miles southwest of California—closer than New York is to San Francisco—at the same latitude as Cuba and the same longitude as the western mainland of Alaska.

The area of the islands is 6,434 square miles or 4,119,227 acres. This is slightly larger than the combined area of Connecticut and Rhode Island. Of the total acreage, 317,012 acres are held by the Federal Government, 1,415,684 acres by the Territory of Hawaii, and 10,809 acres by the city and county governments. The remaining 2,373,722 acres are held in private ownership.

A breakdown of Federal land holdings in Hawaii follows:

Island county	Acres	Percentage of islands	Land and building real property valuation
Oahu.....	54, 571	14. 1	\$416, 577, 018
Maui.....	47, 817	10. 3	4, 013, 022
Molokai.....			
Lanai.....			
Hawaii.....	212, 196	8. 2	1, 567, 819
Kauai.....	2, 428	. 68	172, 089
Total.....	317, 012	-----	422, 329, 948

The climate is moderate throughout the year. High temperatures are tempered by the trade winds.

DEMOGRAPHY

The population increased 14.9 percent between 1930 and 1940, and 18.1 percent from 1940 to 1950. There has been a further increase of 7.2 percent or 36,000 people since 1950. The present population is 613,000 according to the latest official estimate, July 1, 1957.

The population is 85 percent native-born American citizens of diverse racial and national backgrounds. As of 1950 the major groups contributed to the total population as follows: 23 percent Caucasian, 37 percent Japanese, 17 percent Hawaiian, and the remainder Filipino, Chinese, Korean, Puerto Rican, and others. In the past 50 years the proportion of residents of Japanese ancestry has decreased slightly while the proportion of Caucasians has increased slightly. A complete analysis of the ancestry of Americans in Hawaii is included as appendix E to this report.

HAWAII ECONOMY

Hawaii's economy alone, if we consider this wholly apart from all its other notable qualifications, would entitle Hawaii to take its place among us as a full-fledged and substantial member of our family of States.

Hawaii's resources are implanted deeply in its lands and industries. These the Territory has managed wisely over the past century to build a firm, self-sustaining, and enduring economy. Today, Hawaii's real property assessments, the goods produced, and its annual business turnover exceed greatly those of any of the 30 Territories heretofore admitted to statehood.

Hawaii's marked economic progress is vividly illustrated in the United States Department of Commerce report entitled "Income of Hawaii." This publication reports that from 1939 to 1952 Hawaii's economy outpaced that of the Nation. In this span of 14 years, the total of all personal incomes in Hawaii almost quadrupled. The totals were \$218 million in 1938 and \$864 million in 1952.

In 1958, Hawaii's personal income totaled \$1.150 billion. This was the third time Hawaii's personal income exceeded \$1 billion during the postwar period. Historically, Hawaii's per capita personal income has tended to approximate that of the mainland. The personal income of \$1.150 billion in 1958 received by residents in Hawaii was equivalent to \$1,876 per person for Hawaii's total population of 613,000. The 1958 per capita income exceeded that of 26 States, as has been the case since 1955.

Territorial tax revenues from all sources for the fiscal year ending June 30, 1958, amounted to \$122,384,550.

AGRICULTURE

Hawaii's economy is a stable economy, founded on agriculture. The Senate Interior and Insular Affairs Committee reported in 1955:

Nowhere in the world have scientific methods been applied to agriculture on the scale that prevails in the sugar and pineapple production of Hawaii.

This is still true today.

In 1957, Hawaii's 27 independent sugar plantations produced over 1 million tons of raw sugar on their 221,000 acres, with a total value of \$146 million. Payrolls of the sugar plantations in 1957 were approximately \$56 million for some 17,000 year-round employees. The daily wage, including fringe benefits, is estimated at \$14.80 per day, the Nation's and the world's highest agricultural wage.

The pineapple crop provides the second largest industry in the islands. For fiscal year ending May 31, 1957, the 9 pineapple companies, located on 5 islands of the Hawaiian group, produced 30,787,208 cases of pineapple and juice, valued at \$110 million. The pineapple industry provides employment for about 22,000 during the peak summer canning season and year-round employment for about 9,000 persons. The industry's annual payroll is estimated at \$36 million.

TOURISM AND HOTELS

Hawaii's pleasant climate, scenic beauty, and recreational facilities are also a major asset. The tourist industry expands annually—from a \$6-million-a-year industry in 1946 to \$65 million in 1956. A record total of 197,850 visitors, including transients, came to Hawaii during 1958, spending there \$82,750,000. Tourist expenditures are expected to top \$100 million by 1960. Expenditures by carriers and crews attributable to the visitor industry added \$8,800,000 to this total. Nor do these figures take into account the millions of dollars spent by the airlines and steamship companies serving the Territory, or the spending of service personnel.

Another record-breaking year for isle tourism is predicted for 1959 when it is estimated that \$85 million in new dollars will be derived from more than 200,000 visitors.

The Hawaii Visitors' Bureau reports that roughly 15 percent more seats will be available on flights to Hawaii in 1959 than were available in 1958. Another big increase in capacities will come with the arrival of jets in late 1959 or early 1960. This introduction of faster service will mean an increase in the number of visitors coming to Hawaii from the west coast, the Central States, and the industrialized East. Also several new ships are scheduled for the Hawaii run, and by 1960 at least two additional 2,000-passenger ships will be making regular calls at Honolulu.

In 1945, the Pacific war came to an end and Hawaii set about refurbishing its facilities after 4 years of combat and defense status. New hotels came slowly. In 1954, four major beach hotels and several smaller ones were erected. This amounted to some 1,000 new hotel rooms. By 1956, there were more than 4,000 rooms at Waikiki. Early 1958 found 450 more hotel rooms in Waikiki than early 1957. In addition, proposed future developments of hotel accommodations have been discussed for the Waikiki area and, when realized, would account for the addition of 1,500 more rooms. Two major hotel chains are currently interested in extending their interests to the Hawaiian Islands.

These expenditures, running into the millions, bolster the Hawaii Visitors' Bureau's optimistic view of the tourist trade as the greatest single source of immediately available revenue, and a potential rival of the sugar industry for first place in the islands' economy.

NATIONAL DEFENSE EXPENDITURES

The strategic importance of Hawaii to the defense of America is vital. The recent enlargement of commands and the movement of Armed Forces from forward areas to Oahu has made Hawaii an increasingly important operational center for the entire Pacific area.

Hawaii is a bastion of U.S. military strength in the Pacific, the hub of which is the Pearl Harbor Naval Base, headquarters of the Pacific's unified military command.

The Army has six major posts in Hawaii. Schofield Barracks is one of the largest military posts in area in the world. Headquarters for the commanding general, U.S. Army Forces Pacific, are at Fort Shafter, in Honolulu.

The Military Establishment there represents today, in the interests of national defense, the islands' largest single source of income. The money spent by the Federal Government, and the goods and services purchased by the Armed Forces, are considered Hawaii's most important "invisible export." This in 1958 amounted to over \$300 million.

PAYMENTS INTO FEDERAL TREASURY

Reflecting the healthy state of their island economy were the tax totals paid last year by residents of Hawaii, more than \$285 million. Of this sum, \$166,300,000 came into the Federal Treasury on account of personal and corporate income taxes. This is more than was paid in by 10 of our mainland States (Wyoming, Vermont, North Dakota, South Dakota, Nevada, Idaho, Montana, New Mexico, New Hampshire and Alaska).

Although Hawaii has no vote in the Congress levying such taxes, it pays consistently into the Federal Treasury a larger amount than the Federal Government has spent upon the Territory, not including national defense.

Since its incorporation into the United States, Hawaii has paid into the national coffers the impressive sum of \$2,354,000,000.

THE HAWAII LABOR FORCE

Employment in the Territory has reached record totals. The employed labor force increased from 206,000 in 1957 to 210,000 in 1958 and the number of unemployed decreased to 1.6 percent of labor force over the same period. Wages, salaries, and dividends paid to residents of Hawaii during 1957 amounted to over \$700 million.

LAND AND BUILDING VALUATIONS

The steady growth of the population of Hawaii since annexation provides another cardinal statistic which further depicts the substance and soundness of her application for statehood. As of January 1, 1957, the gross assessed valuation of real property aggregated \$1,933,325,220. This exceeds by far the assessed valuation of real property in any of the 30 Territories upon their entrance into the Union as States, and represents, almost, the combined values of real property in all States admitted into the Union since 1850 at the time of their admission.

IMPORTANT MINERAL DISCOVERY

The uncovering in Hawaii of high-grade deposits of bauxite—the raw material for aluminum—may make this country independent of foreign sources for this strategic mineral during the next century.

The island of Hawaii alone contains more than 300 square miles of rich ore, enough to supply the United States for 100 years. This is the gist of a report by Dr. Paul L. Magill, chemist and senior scientist of Stanford Research Associates. His report reveals the Territory's reserves of bauxite ore as 60 million tons, 10 times the known mainland reserve.

HIGHLIGHTS OF BUSINESS ACTIVITIES

Business in Hawaii directly reflects business conditions throughout the country. In step with the Nation, 1958 was the best year for business in Hawaii's history. For the 12th consecutive year the volume of all business transactions in Hawaii exceeded the billion-dollar mark. For 1958 it totaled \$1,855,299,168. Territorywide retail business volume rose to \$680 million.

Hawaii consistently ranks as one of the best customers of the continental United States. In 1956, it bought from the mainland food, clothing, motorcars, household appliances, construction materials, machinery and equipment, fuel, medical supplies, and many other items amounting to more than \$430 million. Since 1933 Hawaii has been seventh and eighth in rank of continental United States customers, and in 1940, fifth. Its purchases outrank those of such countries as Italy, China, Cuba, the Philippines, and Germany.

Hawaii's total expenditures in 1957, domestically and abroad, amounted to \$833 million. Its total income in mainland dollars was \$856 million. Thus it earned a favorable trade balance of \$23 million.

Fifty-nine banks and branches, as of June 30, 1957, were in operation in Hawaii, with combined assets of \$481 million. Bank clearings totaled \$3,342,686,555.

Five trust companies were in operation with total assets of \$20,364,453, and 11 savings, buildings and loan associations with combined assets of over \$136,162,096. Under the Industrial Loan Act, 59 licenses were authorized. The combined assets of the licensees were \$50,673,770.

Air travel

Honolulu International Airport, the principal airport in Hawaii, is one of the major airfields in the United States. During 1957, there were 245,046 takeoffs and landings at the airport. Interisland airlines carried 559,604 passengers between the islands during the year. Oversea passengers numbered 298,634. Air freight also is becoming an increasingly important factor in both interisland and transocean trade.

Transportation

Hawaii is the crossroads of the Pacific for airlines and seagoing trade. Luxury liner travel between Hawaii and the mainland is on the increase. Passenger liner capacity tripled during 1956-57, increasing from a capacity of 41,760 one-way passenger trips per year early in 1956 to an annual rate of 123,000 passengers by mid-1957. A fleet of freighters which constitutes Hawaii's lifeline to the mainland also plays a significant role in interisland traffic. In 1957, 11,498,948 tons of imports and exports were carried between Hawaii, the mainland, and other areas.

Motor vehicles

There were more than 196,722 motor vehicles registered in Hawaii on December 31, 1957. It is interesting to compare this with the 89,000 pleasure cars registered in the Empire of Japan, a nation of 90 million people.

Diversified crops

Cattle, hog, and poultry raising, coffee production, fisheries, the growing and packing of such products as macadamia nuts, papaias, bananas, taro, and honey are locally important enterprises, and the established value is about \$43,500,000. Of this total, about \$30 million, or about 70 percent comes from livestock.

Utilities

Total gross revenues of all utilities in the Territory amounted to \$48 million. Four utilities (electric power, telephones, interisland transportation, and gas) have doubled the aggregate value of their services since 1946. They recorded an average year-to-year increase of 7.3 percent between 1946 and 1958.

Building

Construction activity, a major bulwark in today's economy, totaled \$154,871,725 for 1957, an increase of more than 20 percent over 1956. Residential housing (in defense areas and in new suburban communities) has been the outstanding feature, but military installations, hotels, offices, shopping centers and public works also have been important. The bulk of this expansion has been confined to the island of Oahu.

New business

There were 45,805 business licenses issued by the tax commissioner during 1957. A survey showed 76 new and 55 expanding firms created nearly 2,000 jobs with a capital investment of \$19,849,857. Mainland investments in Hawaii have been continued too. Insurance companies alone accounted for \$142 million as of January 1, 1957, compared to \$121 million in January 1956.

EDITORIAL OPINION

Vigorous support by the Nation's press for Hawaiian statehood continues to mount. This is amply illustrated by the most recent Gallup poll and a compilation of editorials from newspapers in every State in the Union. These mediums of public expression reflect the widespread support for Hawaii statehood by the voters of the United States.

Annually since Hawaii began actively to seek admission into the Union, the evidence has grown that the country's newspapers,—small weeklies and metropolitan dailies in the North, the Deep South, the East and the West—are overwhelmingly in favor of admission.

Thus far this year 474 editorials on the subject of statehood for Hawaii have appeared in the American press. Almost without exception they urged that Congress act favorably on the statehood legislation.

The most recent national opinion survey on this subject, the Gallup poll, was published by the New York Herald Tribune on August 8, 1958. It found that prior to World War II Americans with opinions

on Hawaii statehood favored it by about 2 to 1. After World War II, during which Hawaii served as a key outpost in the Pacific, public support rose sharply. In 1946 the vote was 3 to 1.

During the years since then, Dr. Gallup reported, the national poll found increasingly clear majorities favoring Hawaii's admission into the Union. By 1958, Dr. Gallup reported, the ratio had become 8 to 1, the highest ever recorded since the American Institute of Public Opinion first began polling on the subject.

REASONS FOR STATEHOOD

The committee is convinced that the grant of statehood will be in the best interest of the people of the entire Nation as well as the half-million Americans who now reside in the Territory that has been an incorporated part of the United States for 58 years.

In considering the benefits to the Nation of the grant of statehood to any particular Territory, it has never been possible at the time of admission to prove in precise mathematical terms the exact extent to which the residents of the older States would be benefited. The specific advantages accruing to the Federal Government from the admission of any one of the 36 States admitted since the formation of the Union could not have been set forth in concrete terms to the Congress considering admission.

Yet our dramatic history and the greatness of our Nation today prove conclusively that acceptance of new States has benefited the older areas as much as it has the citizens of the new State. Ever since enactment of the Northwest Ordinance of 1787, our people have recognized that our Nation cannot grow strong and prosperous except on a basis of full political equality for every incorporated area the people of which are willing and able to share the burdens of statehood.

The citizens of Hawaii are in precisely the same legal and political status today as were the residents of the Northwest Territory when they were admitted to full citizenship. First, they are residents of an incorporated Territory, one to which the Constitution was extended by the 55th Congress more than a half century ago, thus incorporating it into the Union. Second, the population of the Territory is sufficiently large and its resources sufficiently developed, beyond question, to support statehood. Third, its people are thoroughly imbued with American traditions and ideals and earnestly desire statehood.

A major difference, however, is that Hawaii today has a larger population than 5 of our States (Vermont, Delaware, Wyoming, Nevada and Alaska), and that with approximately 613,000 people its population is larger than that of any State at the time it entered the Union except Oklahoma. Also, Hawaii is the richest Territory in the point of economic development ever to enter the Union—in the fiscal year 1958, Hawaii paid more than \$166 million in Federal taxes, a sum greater than that paid by many of the present States.

The admission of Hawaii would constitute a singular achievement in diplomacy. What could be better proof than this to the critical Far Eastern area that the United States is still the land of promise for people of all backgrounds? The Hawaiian-Americans of Japanese and other oriental backgrounds will be the living example that we live by principles of freedom and self-determination for all people. These thoroughly American people of oriental background can be a

catalyst of untold value in accomplishing understanding where understanding is most needed.

The American people believe that statehood is in the best interest of the Nation. Public polls taken over the last 10 years indicate that during that period the public has favored statehood by a majority of 3 to 1 or more. The latest reported poll indicates that the present favorable majority is more than 8 to 1.

The platforms of both major political parties call for immediate statehood as they have for some years past, and President Dwight D. Eisenhower has strongly urged it throughout his administration as did former President Harry S. Truman.

Admission of Hawaii to statehood would give it full and equal participation in the American system of government. It would accord the half-million American citizens who are also citizens of Hawaii the following specific rights which they do not have under the present Territorial system of government:

1. The right to voting representation in both the Senate and the House of Representatives;

2. The right to vote for the President and Vice President of the United States;

3. The right to choose their own Governor and to carry on functions of government by their own elected officials instead of Federal administrators;

4. The right to determine the extent of the powers to be exercised by their own legislature;

5. The right to have local justice administered by judges selected under local authority rather than by Federal appointees;

6. The right to freedom from overlapping of Federal and local authority; and

7. The right to a voice in any proposed amendment of the Federal Constitution, as well as on the taxes which they must pay.

Any concept of permanent inferiority for the residents of any American Territory who have qualified for statehood by every historic and economic standard, and the vast majority of whom fervently desire it, is foreign to the American ideal. On the basis of principles established 170 years ago, our people heretofore always have recognized the right of an incorporated Territory to receive statehood as soon as it demonstrates conclusively that it can meet the requirements for statehood. Hawaii, with its large, thoroughly American population, its economic development, the splendid war record of its people in fighting and dying for American ideals in both Europe and Asia, and the desire of its people for statehood, fits perfectly into the historic pattern under which our Nation has grown great.

READINESS FOR STATEHOOD

The Constitution of the United States sets no specific requirements for statehood, but throughout our history the standards required for admission have been—

- (1) That the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government.

- (2) That a majority of the electorate desire statehood; and

(3) That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

The committee is convinced that Hawaii has met each of these requirements, and is in all ways prepared for statehood.

As to the first requirement, Hawaiians have been trained and steeped in American traditions and principles since the missionaries landed in the islands in 1820. The constitution adopted in 1840 was modeled after the Constitution of the United States. The people of Hawaii were the prime movers in the early attempts to bring about annexation. This historic attachment to American principles of democracy has continued up to today.

The constitution which was adopted by the people of Hawaii in 1950 by a 3-to-1 majority is an admirable, thoroughly American document. The Territory has wisely and successfully operated a complete Territorial government, in conformity with the Constitution of the United States, for over half a century.

The loyalty and patriotism of the people of Hawaii has been proved beyond any reasonable doubt. Before World War II, doubt was voiced in some quarters whether the inhabitants of Japanese ancestry would be loyal to the United States. The answer was dramatically recorded for everyone to see. During World War II American citizens of Japanese ancestry (Nisei) in Hawaii formed the all-Nisei 100th Infantry Battalion. Later, the 100th was integrated into the 442d Regimental Combat Team, an all-Nisei outfit composed of volunteers from Hawaii and the mainland of the United States. In connection with this volunteer combat team, the Army called for only 1,500 volunteers from Hawaii. In less than 3 days, more than 10,000 responded; in a week, more than 15,000 had volunteered. The Army decided to accept 2,500.

Between them, the 442d and the 100th made history without parallel in American military annals. According to the record, they were awarded more medals and combat decorations for their size and length of service in the line than any other U.S. infantry unit in World War II or any previous war.

Since World War II it has been suggested by some that a different loyalty question has arisen concerning Communists in Hawaii. That suggestion will be discussed in the next section of this report.

The committee is convinced that the people of Hawaii are as sincerely imbued with and sympathetic toward American principles as the people of any area under the flag.

The ability of the people of Hawaii to support a State government and contribute their share toward the costs of the Federal Government is not open to doubt. The Territory now pays all but a fraction of 1 percent of the total cost of Territorial government. The budget for Territorial and county government amounts to some \$100 million annually, all collected from local people by local taxes.

The gross Territorial product of Hawaii for 1958 is about \$1.150 billion, which is twice as large as that of the richest of all the other States at the time of its admission. In 1958 wages and salaries amounted to about \$829 million, retail trade \$680 million, dividends \$42.7 million. Hawaii had 25,000 more visitors in 1956 than in 1955 and they spent \$9 million more than in 1955. Diversified agriculture—other than sugar and pineapple—increased over 1955 to \$44.3

million total dollar volume, and Hawaii's 28 sugar plantations produced the second largest tonnage of raw sugar in their history. The volume in the construction industry was a peacetime high.

For the fiscal year ending June 30, 1958, the Territory paid a record high of \$166,300,000 in Federal taxes. This is more than the amount paid by 10 States already in the Union. The per capita tax payment was approximately \$270, a figure considerably higher than the national average. Since becoming a Territory, Hawaii has paid more than \$2.3 billion in Federal taxes.

VOTER TURNOUT IN HAWAII TOPS NATION

A measure of the civic consciousness of the people of the Territory of Hawaii was provided there in the 1956 Territorial elections. A record number of registered voters went to the polls in a performance that topped the entire nation for a turnout of citizens on election day.

The number of Hawaii citizens registering to vote in that election numbered 170,215. Of this number 151,962, or 89.2 percent voted.

This, according to the American Heritage Foundation, exceeded the entire Nation in percentage of turnout with Idaho, which got 77.3 percent of its registered voters to the polls, leading the 48 States.

Registration of voters in Hawaii has climbed steadily—from 102,000 in 1946 to 175,223 in 1958. In the general election on November 6, 1958, 154,329 or 88 percent of the eligible voters cast their ballots.

The committee members are convinced that the Nation could take in no more responsible partner than Hawaii.

ARGUMENTS AGAINST STATEHOOD

In the past the arguments against statehood have fallen into the following general pattern:

(1) That Communists, through control of the International Longshoremen's and Warehousemen's Union (ILWU), have a stranglehold on the economy of the Hawaiian Islands, and that they have such political power that communism is a threat to the political stability of the Territory; officials would continue to be subject to Communist pressure under statehood;

(2) That the so-called Caucasians are outnumbered by other groups;

(3) That the Territory is noncontiguous and hence outside the pattern of the present Union of States;

(4) That two Senators from Hawaii would give the new State representation in Congress disproportionate to its population in comparison with other States.

Communist control

The U.S. Department of Justice, which is charged with responsibility over investigation, prosecution, and control of Communist subversion, favors enactment of the bill. The present position of the Department is unchanged from previous years. In 1954 the Attorney General of the United States wrote to the committee as follows:

The fact that it has been necessary to prosecute the leaders of the Communist conspiracy in Hawaii is, in my opinion, no

more of an indication of the strength of the party in that area than the convictions of the Communist leaders in New York, Pittsburgh, Seattle, and Los Angeles are indications of party control and dominance in those areas.

Naval officials from both the Pentagon and Pearl Harbor levels indicated acceptance of statehood legislation contained in H.R. 4221. They apprehend no increase in internal security problems with the granting of statehood. The Honorable Francis E. Walter of Pennsylvania, chairman of the House Committee on Un-American Activities, stated during the committee hearings that he felt that given the machinery provided in H.R. 4221 the people of Hawaii under statehood could manage the security problems created by Communist activities better than under existing conditions.

The Korean war served as proof of the loyalty of Hawaiian-Americans when fighting against a Communist enemy. In connection with Hawaiian participation in that conflict Gen. J. Lawton Collins wrote to the late Delegate from Hawaii, Hon. Joseph R. Farrington:

The relatively high casualty rate suffered by Hawaii soldiers can be attributed to the large proportion of Hawaii soldiers in the 24th Infantry Division, which includes the 5th Regimental Combat Team, and the 25th Division. At the time of its deployment to the Far East Command, almost 50 percent were Hawaii-born soldiers. I doubt that any other unit of the Regular Army can be associated with a particular geographical area as closely as the 5th Regimental Combat Team is associated with Hawaii. There were also substantial percentages of Hawaii soldiers in the 24th and 25th Divisions which were already in Japan and which were, of course, the first committed in Korea. All enlisted personnel of these units, when the conflict started, were volunteers. The heavy fighting that they have encountered and the regrettably high casualty rates sustained are, of course, well known throughout the United States.

The splendid part played by Hawaii in the Korean war is entirely in keeping with the distinguished record it established in World War II.

The record in the Korean war can be summarized as follows:

Not one case of cowardice by a Hawaii soldier in the face of the Communist enemy was recorded in Korea.

Not one case of successful Red "brainwashing" of any Hawaii soldier was recorded.

Not one case of a Hawaii soldier's desertion to the enemy was recorded.

Of the 22 American servicemen who refused repatriation after the Korean war in favor of remaining with the Communists * * * there was not 1 from Hawaii.

There were 426 Hawaii boys killed in Korea action, a death toll $4\frac{1}{2}$ times the killed-in-action average for the rest of the United States. There were 1,352 total battle casualties from Hawaii, a rate three times as great as the casualty rate per capita for the rest of the Nation.

The committee is convinced, and there is no evidence to the contrary, that a grant of statehood will not in any way decrease the ability of the Nation or the people of Hawaii to combat the malignancy of communism. On the contrary, the people of Hawaii have taken unprecedented steps to protect themselves and have shown superior recognition of the menace. Therefore, the committee believes that statehood will provide a suitable and effective political structure through which the people of Hawaii can and will hasten the destruction of the last vestiges of Communist influence.

The people of Hawaii

The second objection, that of racial heterogeneity in the Territory, appears to be based on reasons which for the most part rarely are expressed frankly and openly. With the entire free world looking to the United States for moral and spiritual leadership, the committee does not believe that the 86th Congress will deny full political equality to a group of its own citizens who have met every historic test of qualifying for statehood merely because of the ancestry of a part of that group. Hawaii has been thoroughly American in word, thought, and deed for a half century and longer. Its American institutions and school systems have produced American citizens worthy to stand on a basis of full equality with the best citizens of any State in the Union.

The devotion to American ideals of the sons of Hawaii has been indelibly written in the pages of world history on the battlefields of Europe and, more recently, in Korea. In civic, economic, and cultural attainments, also, the people of Hawaii have created a community to stand on a basis of full political equality with every other American community.

Noncontiguity

The argument that Hawaii should forever be denied statehood because their islands are not physically contiguous by land to the continental United States is in our judgment fallacious. It should play no part in consideration of this measure. Hawaii has for many decades been completely incorporated within the American system in every respect despite its lack of land contiguity. It is within the American judicial, customs, and internal revenue systems. Its churches, fraternities, veterans' and other organizations, its business groups and banking systems, are closely linked with their counterparts on the mainland. In terms of modern communication and transportation Hawaii is today far closer to Washington than were many of the Original Thirteen States when the Constitution was adopted. In short, Hawaii is an integral part of the American scene.

With modern methods of transportation and communication—air, sea, radio, and telephone—the argument that Hawaii is noncontiguous can carry little weight. Hawaii is in fact contiguous to the mainland for all practical purposes. The committee believes that the Union of States that is the United States is more than a mere geographic arrangement. It is a union that comes of a common loyalty and a common purpose. In these respects, Hawaii is, in fact, contiguous.

As an example from the past, when California was admitted to the Union a trip to Washington meant 13,355 nautical miles around

Cape Horn or crossing the vast, hostile Indian country of the western plains. When the Panama Canal was opened the voyage by water from Washington to San Francisco was cut to twice the distance from Hawaii to San Francisco.

Representation in Congress

The last argument, which asserts that two Senators would dilute the representation of large States, seems to the committee to have been wisely and finally settled 170 years ago by the Founding Fathers. For the information of the House it should be noted that Hawaii has a larger population than six of the present States, and, when admitted, will join five other States which have two Senators and only one Representative in Congress.

Therefore, the committee finds no merit in any of the arguments against statehood, and recommends that statehood be granted.

SUMMARY

In November 1958 a special three-member subcommittee of the Committee on Interior and Insular Affairs consisting of Representatives O'Brien of New York, Sisk, and Berry visited Hawaii and spent 2 weeks studying all facets of statehood for the Territory. The closing paragraphs of its report strongly urging enactment of statehood legislation are as follows:

We believe that admission of Hawaii, with its mixed races and its geographical position, will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly.

This is the considered opinion of the military men in charge of our vital interests in the Pacific. They, and we, know what those 800 million people in the Pacific area will say if we deny statehood to Hawaii after granting statehood to Alaska.

They will say that our protestations of regard and friendship are untrue and that we have denied full brotherhood to American citizens because many of them come from the same ethnic lines as those we call friends in an area vital to our very existence as a nation.

Your committee went to Hawaii in an objective mood. We performed our task as best we could. We know all the difficulties and dangers. But we also know the people who will administer the new State. Calmly and soberly, we urge that the 86th Congress, as soon as possible, place in the flag a 50th star called Hawaii.

SECTIONAL ANALYSIS

Section 1 provides for admission of Hawaii into the Union on an equal footing with the other States after a plebiscite on three propositions set out in section 7 and after election of the elective officers of the new State and its congressional delegation. Section 1 also confirms and ratifies the constitution adopted by the people of Hawaii in 1950 and finds that it conforms to the Constitution of the United States and the principles of the Declaration of Independence.

Section 2 defines the area which will comprise the State of Hawaii. This includes all the islands, appurtenant reefs, and territorial waters included in the Territory of Hawaii except the atoll known as Palmyra Island and its reefs and territorial waters. The State will not include the Midway Islands, Johnston Island, Sand Island (offshore from

Johnston Island), or Kingman Reef. These are not now included in the Territory.

Section 3 requires that the constitution of the State of Hawaii forever remain republican in form and not repugnant to the United States Constitution or the principles of the Declaration of Independence.

Section 4 requires the State of Hawaii to adopt the Hawaiian Homes Commission Act, 1920, as a provision of its constitution and provides that it shall not be changed in its basic provisions except with the consent of the United States. Article XI of the constitution of Hawaii conforms, in substance, to this requirement. The Hawaiian Homes Commission Act is a law which set aside certain lands in order to provide for the welfare of native Hawaiians. While the new State will be able to make changes in the administration of the act without the consent of Congress, it will not be authorized, without such consent, to impair by legislation or constitutional amendment the funds set up under it or to disturb in other ways its substantive provisions to the detriment of the intended beneficiaries.

Section 5 concerns property grants to the new State. Subsection (a) confirms in the State the Territory's title to certain lands and other property. Subsection (b) grants to the State title to Federal public lands and other Federal public property in Hawaii held by the United States at the time of Hawaii's admission into the Union. Both of these subsections, however, are subject to the qualification expressed in subsection (c) the effect of which is to reserve to the United States any lands or other properties which are set aside for Federal use by act of Congress or by order of the President or the Governor of Hawaii. Subsection (b) is also qualified by subsection (d) which provides that any public lands or other public property that, at the time of admission, is controlled by the United States under permission from the Territory may be set aside by Congress or by Executive order within 5 years from the date of admission and that, if this is done, these lands and property shall be the property of the United States. Subsection (e) provides that each Federal agency having control of land or property retained under subsections (c) and (d) shall review its needs and report to the President within 5 years after admission of the new State and that the President shall turn over to the State that which is not needed by the Federal Government.

The effect of subsection (f) is to create a trust of the public lands granted to the State and of any proceeds derived from them, the trust to be administered for the support of educational institutions, the welfare of native Hawaiians, the development of farm and home ownership, public improvements, and the provision of land for public use. The language employed with respect to educational institutions supported in whole or in part from this land grant is the same as that used in earlier acts for the admission of States to the Union. It requires that the educational institutions remain under public control and be not sectarian or denominational. The words used are in the nature of a limitation and not a grant and will not interfere with the operation of the Federal Constitution.

Subsection (g) defines the terms "lands and other properties" and "public lands and other public property." Subsection (h) repeals laws of the United States reserving its right to the free use of property which is granted to the State by the act. Subsection (i) makes it

clear that the Submerged Lands Act and the Outer Continental Shelf Lands Act will extend to the new State.

Section 6 provides for certification by the President to the Governor of Hawaii of the former's approval of the bill. It also provides for a gubernatorial proclamation for the first election of State officers and the State congressional delegation. The latter will consist of two Senators and one Representative.

Section 7, subsection (a), sets out details concerning the elections just mentioned. Subsection (b) requires that there be submitted to the Hawaiian voters for adoption or rejection three questions. The first is whether Hawaii shall be immediately admitted into the Union as a State, the second whether the boundaries of the State shall be prescribed in the act, and the third whether all the provisions of the act which reserve rights or powers to the United States or which prescribe the terms and conditions of the grants therein made to the State are consented to by the State and its people. If all of these propositions are adopted by the people, the State constitution will be deemed amended to include them. If any of the three propositions is not adopted by a majority of the voters, the act will cease to be effective and the new State will not be admitted into the Union. Subsection (e) provides that the President, upon finding that the propositions previously mentioned have been adopted and upon certification of the returns of the elections, shall issue his proclamation announcing the results of the election. The State of Hawaii will then be deemed admitted into the Union. The subsection also provides that all officers of the Territory and its delegate in Congress shall continue in their offices until the new State is admitted.

Section 8 provides that the new State shall be entitled to one Representative in Congress until the next reapportionment. Although this will cause a temporary increase in the membership of the House of Representatives, it will have no permanent effect upon the membership and basis of apportionment prescribed by present law.

Section 9, subsection (a), provides for the establishment of a U.S. district court in Hawaii with powers derived from article III, section 1, of the United States Constitution. The existing Federal district court is converted into a constitutional court by changing the source of its authority, terminating the powers of the present judges, and providing for the appointment of two judges for the new court. Subsections (b) and (c) repeal present provisions of the Judicial Code establishing different eligibility requirements and fixing a different term of office for judges of the Hawaii district court from those of the judges of other U.S. district courts.

Section 10 deletes special mention of the Hawaii district court from a provision of existing law which defines the term "court of the United States." The effect of the section is to treat the new Federal court in Hawaii like Federal district courts in other States.

Section 11 modifies four sections of the Judicial Code which require that U.S. attorneys and marshals in Hawaii have been citizens of Hawaii during the 3 years preceding their appointment and fix their terms of office at 6 years. The effect of these modifications is to make applicable to these officers the provisions of law applicable to other U.S. attorneys and marshals.

Section 12 provides for the nonabatement of legal actions commenced before the admission of Hawaii into the Union. It also pro-

vides that causes of action which accrued and criminal offenses which were committed before admission but with respect to which action had not then been taken shall thereafter be subject to suit or prosecution in the appropriate State and Federal courts.

Section 13 preserves rights of appeal to the Court of Appeals for the Ninth Circuit and to the Supreme Court in cases decided by the Federal and Territorial courts in Hawaii before admission or pending in those courts at the time of admission.

Section 14 makes a number of minor changes in the Judicial Code and other provisions of law to conform them to the new status of Hawaii and the courts there. Subsection (a) deletes a provision which now gives litigants in any court of record in Hawaii certain rights of direct appeal to the U.S. Supreme Court; subsections (b) and (c) delete provisions for appeals from the Territorial supreme court to the Ninth Circuit Court of Appeals in certain types of cases; subsection (d) removes Hawaii from the coverage of special provisions of law relating to pensions for judges in the Territories and possessions; subsection (e) repeals two provisions of existing law prescribing the salaries of the Governor of Hawaii and other Territorial officials; subsection (f) repeals a special provision of law relating to removal of lawsuits from the Territorial to the Federal courts and vice versa; subsections (g) and (h) delete special mention of Hawaii from provisions of existing law relating to the promulgation of rules of procedure by the Supreme Court; and subsections (i) and (j) assure that, notwithstanding the exclusion of Palmyra Island from the new State, the jurisdiction of the U.S. District Court for the District of Hawaii will extend to it.

Section 15 provides that all Territorial laws shall continue in effect after the admission of the State of Hawaii except as they may be changed by the present bill or by State law. The term "Territorial laws" is defined to include both laws enacted by the Territorial legislature and laws of the United States enacted solely under the United States authority to provide for the government of the Territory.

Section 16, subsection (a), retains exclusive jurisdiction in the United States over Hawaii National Park, subject to the right of the State to serve process and impose taxes on persons and private property within the park and to the exercise of voting rights by residents within the park. Subsection (b) reserves to Congress the right to exercise its power of exclusive legislation over lands which, immediately prior to admission of Hawaii into the Union, are owned or controlled by the United States and held for defense or Coast Guard purposes. The State is authorized, however, to serve process on these lands and, until Congress acts to exercise its reserved power, to exercise all of its other usual functions in the area. The Federal power of exclusive legislation expires when the area ceases to be used for defense or Coast Guard purposes. Notwithstanding other provisions of this subsection, the United States will have sole and exclusive jurisdiction over any military installations that are determined to be critical areas by the President or the Secretary of Defense. The term "defense purposes" is used in the bill to cover military, naval, and Air Force purposes.

Section 17 modifies the Federal Reserve Act to cover Hawaii.

Section 18 concerns maritime matters. Subsection (a) continues the present jurisdiction of the Federal Maritime Board over water transportation to and from the State of Hawaii. Subsection (b) makes three minor changes in the Merchant Marine Act. That act provides that ships which receive operating or construction subsidies from the United States may call at island territories on voyages in foreign trade. Under the existing law such ships do call at Hawaii and it is intended that such calls may continue without prejudice to the carriers' subsidies.

Section 19 provides that the act shall not affect the nationality of any person.

Section 20 makes minor changes in the Immigration and Nationality Act to conform it to the new status of Hawaii. Subsection (a) deletes a specific reference to the territory from the definition of "State" in the Immigration and Nationality Act; subsection (b) removes Hawaii from the coverage of a section of the act which presently includes Hawaii as one of the territories to which are applied certain standards for denying aliens the privilege of admission into the remainder of the United States; subsection (c) deletes from a section of the act conferring jurisdiction over naturalization proceedings the present reference to the territorial court. Subsection (d) provides that nothing contained in the Hawaii Admission Act shall affect a provision of the Immigration and Nationality Act declaring that persons born in Hawaii in 1898 or later and persons who were citizens of Hawaii in 1898 are citizens of the United States.

Section 21 modifies section 3(b) of the act of September 7, 1957, which deals with guaranteeing of loans for air feeder lines and similar matters, by substituting "State of Hawaii" for "Territory of Hawaii."

Section 22 is a standard separability provision declaring that a determination that any portion of the act or its application in any particular circumstance is invalid shall not affect the remaining portions of the act or its applications in other circumstances.

Section 25 is a standard provision repealing all acts in conflict with the present act.

EXECUTIVE DEPARTMENT REPORTS

Favorable reports on Hawaiian statehood bills before the Committee on Interior and Insular Affairs were received from the Departments of the Interior, Navy, State, and Justice, and from the Bureau of the Budget. The reports are printed below.

DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,

Washington, D.C., January 23, 1959.

HON. WAYNE N. ASPINALL,

Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: This will reply to your request for the views of this Department on H.R. 50, H.R. 888, and H.R. 954, providing for the admission of the Territory of Hawaii into the Union.

We urge the enactment of Hawaii admission legislation. It is noted that H.R. 888 and H.R. 954, which are identical bills, contain technical language changes prepared by your committee staff with the

cooperation of this Department while H.R. 50 appears to contain provisions of an earlier bill developed prior to agreement on such technical changes and prior to this Department assimilating the views of the Congress on the related subject of Alaskan statehood.

Now that the admission of Alaska as a State in the Union is a fact, we believe that the prompt admission of Hawaii, our only remaining incorporated Territory, will represent a timely addition to this Nation's complement of States. Furthermore, the admission of Hawaii will fulfill a solemn obligation on the part of the United States to the people of Hawaii—first expressed in the treaty of annexation in 1898.

These bills provide for the admission of Hawaii into the Union as a State, and prescribe the procedure to be followed for that purpose. They properly recognize the actions already taken by the Government and the people of the Territory to form and adopt a State constitution, and ratify those actions.

With the admission into the Union of Alaska, many of the objections formerly argued against the admission of Hawaii are no longer applicable. The opposition to admission of noncontiguous areas, for example, is obviously outdated. In fact, Hawaii is in every way as well qualified for statehood as is Alaska.

Hawaii is truly American in every aspect of its life. Its people have been citizens of the United States since 1900; they have no other loyalty. They have lived under the same laws, paid the same taxes, and enjoyed the same constitutional guarantees as other Americans for over half a century. The Americanism of the people of Hawaii goes beyond mere legal conformity. Hawaii is pervaded by American ideals and practices in its civic organizations and private charities, in its educational system and its athletics, in its press and radio, and in its way of living generally.

While a substantial proportion of Hawaii's people are of racial extractions originating in a distant continent, we believe there are no finer patriots in the Nation—as was proved by the kind of service given by Hawaii's sons during World War II and the Korean conflict.

Hawaii has also met every objective test of fitness for statehood. The civilian population of Hawaii for 1958 was estimated by the Census Bureau to be 578,000. Although recent figures on military population cannot be revealed for security reasons, it seems likely that the military population in 1958 amounted to about 59,000, the same figure as for 1957, thus giving Hawaii a total of 637,000 for 1958.

Thus, Hawaii's population exceeds that of the following 6 States: New Hampshire, 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, 214,000.

In recent years Federal internal revenue collections in Hawaii have generally exceeded those in 10 of the present States. In fiscal 1958 such collections in Hawaii amounted to \$166,306,000, which were greater than the collections in New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, or Alaska.

The Hawaiian tax commissioner has estimated the islands' gross Territorial product for 1958 at the impressive total of \$2,109,890,000.

For many years the people of Hawaii have exercised self-government in a manner that demonstrates their firm adherence to the ideals of free government. The Hawaiian economy is well developed and pros-

perous. It can easily support the slight additional expense to the Hawaiian taxpayer that will result from statehood.

The Territory of Hawaii has repeatedly petitioned for statehood, and 8 years ago adopted a State constitution which was ratified overwhelmingly by the voters. The constitution evidences a sound and mature grasp of governmental problems.

President Eisenhower has repeatedly recommended statehood for Hawaii. In opening his state of the Union address on January 9, the President said: "May I voice the hope that before my term of office is ended I shall have the opportunity and great satisfaction of seeing the 50th star in our national flag." And in his budget message to the 86th Congress, the President stated: "I again recommend that the Congress enact legislation to admit Hawaii into the Union as a State, and to grant home rule to the District of Columbia. It would be unconscionable if either of these actions were delayed any longer."

The following three provisions of the bills should be noted:

1. Subsection 5(d) provides that for a period of 5 years after Hawaii is admitted into the Union either Congress by legislation or the President by Executive order, made pursuant to law, may take back from the State title to any of the lands that are granted to the State by other provisions of the act.

2. Subsection 5(h) provides that if any of the land that is granted to the State is by law subject to free use by the United States, the law granting such free use is repealed, but either the President or the Secretary of Defense may reinvoke the law at any time in the future by determining an area granted to the State to be a critical one. There is no time limitation on this reserved power to take from the State a right of free use, as distinguished from title.

3. Subsection 16(b) reserves the right of Congress to assume by legislation exclusive legislative jurisdiction over any lands that on the date Hawaii is admitted into the Union are owned or controlled by the United States and are held for defense or coast guard purposes. Such exclusive jurisdiction is really concurrent jurisdiction, however, because the subsection specifies that the State shall have the right to serve civil and criminal process, and to exercise concurrently any jurisdiction it would otherwise have that is consistent with the applicable Federal laws.

The last proviso of this subsection, however, gives to the President and to the Secretary of Defense, independently, the right to assume without legislation by Congress exclusive jurisdiction over any military installation that he may determine to be a critical area. There is no time limitation. This exclusive jurisdiction would not be subject to the right of the State to serve processes or to exercise concurrent jurisdiction, as would be the case if Congress acted under the first part of the subsection.

We understand that these provisions were drafted after consultation with the Department of Defense, and we shall therefore not comment on their details. In general, however, we feel that the title to the land conveyed to the State should not be subject to the right of the Federal Government to take back the title, or an indefinite right of free use. The State is entitled to know at some reasonable time what it is authorized to do with the land. Moreover, there should be a limit on the right of the United States to take title to, or free use of, lands which

it only holds in trust for the people of the present Territory. With respect to jurisdiction, some further consideration may be warranted of the reserved congressional power to exercise concurrent jurisdiction and the reserved Executive power to exercise sole and exclusive jurisdiction.

We appreciate this opportunity to again express our views on this important subject. And we stand ready to aid your committee, in any manner, to assure early consideration by the Congress of the petition of the people of Hawaii for admission of Hawaii into our Union. As a matter of simple justice, the prompt admission of Hawaii, our last incorporated Territory, should be accomplished as soon as possible.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
OFFICE OF LEGISLATIVE LIAISON,
Washington, D.C., January 26, 1959.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

MY DEAR MR. CHAIRMAN: Your request for comment on H.R. 50, H.R. 888, and H.R. 954, similar bills, to provide for the admission of the State of Hawaii into the Union, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

With regard to military aspects of statehood for Hawaii, the bills provide for retention of ownership by the United States in all lands held for military purposes. In general, the bills provide that concurrent jurisdiction over such lands is to be vested in the State of Hawaii and the United States with the reservation to the Congress of the authority, by legislative process, to take exclusive jurisdiction on behalf of the United States. These provisions are satisfactory to this Department.

As these bills would adequately safeguard the needs of the services, the Department of the Navy, on behalf of the Department of Defense, supports the admission of Hawaii into the Union.

As a technical matter, it is believed that the language of H.R. 888 and H.R. 954 concerning the setting aside of land for the use of the United States during the 5-year period after enactment is clearer than the language of H.R. 50, and therefore, is preferred by the Department of Defense. In this connection the restoration provisions of section 5(b) of H.R. 50 are preferable to the comparable provisions in H.R. 888 and H.R. 954. Additionally, it is recommended that there be an explicit showing in any bill enacted that not only the Submerged Land Act of 1953 but also the Outer Continental Shelf Lands Act will apply to the State of Hawaii.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report on H.R. 50, H.R. 888, and H.R. 954.

Sincerely yours,

Rear Adm. JOHN S. McCAIN, Jr.,
Chief, Legislative Liaison
(For the Secretary of the Navy).

DEPARTMENT OF STATE,
Washington, D.C., January 23, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives.

DEAR MR. ASPINALL: I refer to your letter of January 15, 1959, requesting the Department's comments on three bills (H.R. 50, H.R. 888, and H.R. 954) to provide for the admission of the Territory of Hawaii into the Union.

The Department's position on the question of statehood for Hawaii, as expressed in response to a similar request made during the 85th Congress, remains unchanged. It is the Department's view that the admission of Hawaii into the Union would serve to support American foreign policy and strengthen the position of the United States in international relations.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary
(For the Secretary of State).

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., January 22, 1959.

Hon. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your letter of January 15, 1959, to the Attorney General relative to Hawaii statehood legislation.

The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1960.

With respect to specific bills introduced in the 86th Congress to admit Hawaii into the Union reports will be submitted promptly upon completion of the study of them now being made.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., February 9, 1959.

HON. WAYNE H. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further response to your request for the views of the Department of Justice on the Hawaii statehood bills (H.R. 50, to provide for the admission of the State of Hawaii into the Union; H.R. 888, to provide for the admission of the Territory of Hawaii into the Union; and H.R. 954, to provide for the admission of the Territory of Hawaii into the Union).

The position of the Department of Justice favoring the grant of statehood to Hawaii is firm and unequivocal. As stated in my letter of January 22, 1959, to your committee, "The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1960."

Our examination of these bills disclosed some typographical errors and matters of a technical nature, information concerning which was furnished informally to members of the committee staff.

The Department of Justice has no further comment to offer with respect to these bills.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., January 23, 1959.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

MY DEAR MR. CHAIRMAN: This will reply to your letter of January 15, 1959, requesting the Bureau of the Budget's views on H.R. 50, H.R. 888, and H.R. 894, bills to provide for the admission of the State of Hawaii into the Union.

The President has strongly urged the enactment of legislation to admit the Territory of Hawaii into the Union. The President stated in his annual budget message transmitted to the Congress on January 19, 1959, that it would be "unconscionable" if this action were delayed any longer. We believe that Hawaii is fully prepared to assume the responsibilities that go with statehood and should be permitted to take its rightful place as an equal member of the Union.

It is noted that H.R. 888 and H.R. 894, which are identical bills, contain a number of technical language changes developed by committee staff with the cooperation of the Department of the Interior.

H.R. 50 appears to be based on an earlier draft of the bill and does not contain these changes.

Section 7(d) of H.R. 50 and section 15 of H.R. 888 and H.R. 894 would continue in force and effect all Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union, except as modified or changed by the Statehood Act or the State constitution. Territorial laws would be subject to repeal or amendment by the Legislature of the State of Hawaii. "Territorial laws" are defined to include "all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union."

The purpose of the foregoing sections of H.R. 50, H.R. 888, and H.R. 894 is to assure necessary continuity of laws until such time as the legislature of the new State can enact laws for control of its internal affairs. The definition of "Territorial laws" as including laws enacted by the Congress for the government of the Territory may have the result, in the same instances, of continuing Federal responsibility for the administration of laws regulating intrastate commerce. While it may be highly desirable that Federal officials continue administration of such Territorial laws for a transitional period, considerable confusion might arise if the termination of Federal responsibility were left solely to future action by the State legislature. We suggest, therefore, that the section be amended to make clear that such Federal responsibility will cease either on a date specified in the Statehood Act, or on the effective date of any law enacted by the State legislature which modifies or changes such Territorial law, whichever occurs first.

The Bureau of the Budget supports the objectives of H.R. 50, H.R. 888, and H.R. 894, and you are hereby advised that the enactment of legislation to provide for the admission of the State of Hawaii into the Union would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends that H.R. 4221 be enacted.

APPENDIX

APPENDIX A

THE CONSTITUTION OF THE STATE OF HAWAII

PREAMBLE

We, the people of the State of Hawaii, grateful for Divine Guidance, and mindful of our Hawaiian heritage, reaffirm our belief in a government of the people, by the people and for the people, and with an understanding heart toward all the peoples of the earth, do hereby ordain and establish this constitution for the State of Hawaii.

FEDERAL CONSTITUTION ADOPTED

The Constitution of the United States of America is adopted on behalf of the people of the State of Hawaii.

ARTICLE I

BILL OF RIGHTS

Political Power

SECTION 1. All political power of this State is inherent in the people; and the responsibility for the exercise thereof rests with the people. All government is founded on this authority.

Rights of Man

SECTION 2. All persons are free by nature and are equal in their inherent and inalienable rights. Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property. These rights cannot endure unless the people recognize their corresponding obligations and responsibilities.

Freedom of Religion, Speech, Press, Assembly and Petition

SECTION 3. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

Due Process and Equal Protection

SECTION 4. No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of his civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

Searches and Seizures

SECTION 5. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

**Rights of
Citizens**

SECTION 6. No citizen shall be disfranchised, or deprived of any of the rights or privileges secured to other citizens, unless by the law of the land.

**Enlistment,
Segregation**

SECTION 7. No citizen shall be denied enlistment in any military organization of this State nor be segregated therein because of race, religious principles or ancestry.

**Indictment,
Trial by Jury,
Criminal Cases**

SECTION 8. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy; nor shall any person be compelled in any criminal case to be a witness against himself.

**Bail, Excessive
Punishment**

SECTION 9. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

**Trial by Jury,
Civil Cases**

SECTION 10. In suits at common law where the value in controversy shall exceed one hundred dollars, the right of trial by jury shall be preserved. The legislature may provide for a verdict by not less than three-fourths of the members of the jury.

**Rights of
Accused**

SECTION 11. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, or of such other district to which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

Jury Service

SECTION 12. No person shall be disqualified to serve as a juror because of sex.

**Habeas Corpus
and Suspension
of Laws**

SECTION 13. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

The power of suspending the privilege of the writ of habeas corpus, and the laws or the execution thereof, shall never be exercised except by the legislature, or by authority derived from it to be exercised in such particular cases only as the legislature shall expressly prescribe.

**Supremacy of
Civil Power**

SECTION 14. The military shall be held in strict subordination to the civil power.

**Right to Bear
Arms**

SECTION 15. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

**Quartering of
Soldiers**

SECTION 16. No soldier or member of the militia shall, in time of peace, be quartered in any house, without the consent of the owner or occupant, nor in time of war, except in a manner prescribed by law.

**Imprisonment
For Debt**

SECTION 17. There shall be no imprisonment for debt.

Eminent Domain

SECTION 18. Private property shall not be taken for public use without just compensation.

**Limitations on
Special Privileges**

SECTION 19. The power of the State to act in the general welfare shall never be impaired by the making of any irrevocable grant of special privileges or immunities.

Construction

SECTION 20. The enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.

ARTICLE II**SUFFRAGE AND ELECTIONS****Qualifications**

SECTION 1. Every citizen of the United States, who shall have attained the age of twenty years, have been a resident of this State not less than one year next preceding the election and be a voter registered in accordance with law, shall be qualified to vote in any state or local election. No person shall be qualified to vote unless he is also able, except for physical disability, to speak, read and write the English or Hawaiian language.

Disqualifications

SECTION 2. No person who is non compos mentis and no person convicted of felony, unless pardoned and restored to his civil rights, shall be qualified to vote.

Residence

SECTION 3. No person shall be deemed to have gained or lost residence simply because of his presence or absence while employed in the service of the United States, or while engaged in navigation or while a student at any institution of learning.

**Registration,
Voting**

SECTION 4. The legislature shall provide for the registration of voters and for absentee voting; and shall prescribe the method of voting at all elections. Secrecy of voting shall be preserved.

Elections

SECTION 5. General elections shall be held on the first Tuesday after the first Monday in November in all even-numbered years. Special elections may be held in accordance with law. Contested elections shall be determined by a court of competent jurisdiction in such manner as shall be provided by law.

ARTICLE III

THE LEGISLATURE

**Legislative
Power**

SECTION 1. The legislative power of the State shall be vested in a legislature, which shall consist of two houses, a senate and a house of representatives. Such power shall extend to all rightful subjects of legislation not inconsistent with this constitution or the Constitution of the United States.

**Senate; Districts;
Composition**

SECTION 2. The senate shall be composed of twenty-five members, who shall be elected by the qualified voters of the respective senatorial districts. The districts, and the number of senators to be elected from each, shall be as follows:

First senatorial district: that portion of the island of Hawaii known as Puna, Hilo and Hamakua, five;

Second senatorial district: that portion of the island of Hawaii known as Kau, Kona and Kohala, two;

Third senatorial district: the islands of Maui, Molokai, Lanai and Kahoolawe, five;

Fourth senatorial district: that portion of the island of Oahu lying east and south of Nuuanu Street and Pali Road and the upper ridge of the Koolau Range from the Nuuanu Pali to Makapuu Point and all other islands not specifically enumerated, five;

Fifth senatorial district: that portion of the island of Oahu lying west and north of the fourth senatorial district, five; and

Sixth senatorial district: the islands of Kauai and Niihau, three.

**House of
Representatives;
Composition**

SECTION 3. The house of representatives shall be composed of fifty-one members, who shall be elected by the qualified voters of the respective representative districts. Until the next reapportionment, the representative districts and the number of representatives to be elected from each shall be as set forth in the Schedule.

**Reapportionment
of House**

SECTION 4. On or before June 1 of the year 1959, and of each tenth year thereafter, the governor shall reapportion the members of the house of representatives in the following manner: The total number of representatives shall first be reapportioned among four basic areas, namely, (1) the island of Hawaii, (2) the islands of Maui, Molokai, Lanai and Kahoolawe, (3) the island of Oahu and all other islands not specifically enumerated, and (4) the islands of Kauai and Niihau, on the basis of the number of voters registered at the last preceding general election in each of such basic areas and computed by the method known as the method of equal proportions, no basic area to receive less than one member. Upon the determination of the total number of representatives to which each basic area is entitled, such total shall be reapportioned among the one or more representative

districts within each basic area on the basis of the number of voters registered at the last preceding general election within each of such representative districts and computed by the method known as the method of equal proportions, no representative district to receive less than one member. Upon any reapportionment, should the total number of voters registered in any representative district be less than one-half of the quotient obtained by dividing the total number of voters registered in the State by the total number of members to which the house is entitled, then, as part of such reapportionment, the basic area within which such representative district lies shall be redistricted by the governor in such manner that the total number of voters registered in each new representative district therein shall be more than one-half of such quotient.

The governor shall thereupon issue a proclamation showing the results of such reapportionment, and such reapportionment shall be effective for the election of members to such house for the next five succeeding legislatures.

Mandamus

Original jurisdiction is hereby vested in the supreme court of the State to be exercised on the application of any registered voter, made within thirty days following the date specified above, to compel, by mandamus or otherwise, the governor to perform the above duty; and made within thirty days following the date of such proclamation, to compel, by mandamus or otherwise, the correction of any error made in such reapportionment.

Election of Members; Term

SECTION 5. The members of the legislature shall be elected at general elections. The term of office of members of the house of representatives shall be two years beginning with their election and ending on the day of the next general election, and the term of office of members of the senate shall be four years beginning with their election and ending on the day of the second general election after their election.

Vacancies

SECTION 6. Any vacancy in the legislature shall be filled for the unexpired term in such manner as may be prescribed by law, or, if no provision be made by law, by appointment by the governor for the unexpired term.

Qualifications of Members

SECTION 7. No person shall be eligible to serve as a member of the senate unless he shall have attained the age of thirty years, have been a resident of the State for not less than three years and be a qualified voter of the senatorial district from which he seeks to be elected. No person shall be eligible to serve as a member of the house of representatives unless he shall have attained the age of twenty-five years, have been a resident of the State for not less than three years and be a qualified voter of the representative district from which he seeks to be elected.

**Privileges
of Members**

SECTION 8. No member of the legislature shall be held to answer before any other tribunal for any statement made or action taken in the exercise of his legislative functions; and members of the legislature shall, in all cases except felony or breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same.

**Disqualifications
of Members**

SECTION 9. No member of the legislature shall hold any other public office under the State, nor shall he, during the term for which he is elected or appointed, be elected or appointed to any public office or employment which shall have been created, or the emoluments whereof shall have been increased, by legislative act during such term. The term "public office", for the purposes of this section, shall not include notaries public, reserve police officers or officers of emergency organizations for civilian defense or disaster relief. The legislature may prescribe further disqualifications.

**Salary and
Allowances**

SECTION 10. The members of the legislature shall receive such salary and allowances as may be prescribed by law, but any increase or decrease in the amount thereof shall not apply to the legislature which enacted the same. No salary shall be payable when the senate alone is convened in special session, or when the legislature convenes in special session pursuant to Section 17 of this article.

Sessions

SECTION 11. Regular sessions of the legislature shall be held annually. The governor may convene the legislature, or the senate alone, in special session. All sessions shall be held at the capital of the State. In case the capital shall be unsafe, the governor may direct that any session shall be held at some other place. Regular sessions in odd numbered years shall be known as "general sessions" and regular sessions in even numbered years shall be known as "budget sessions".

**Budget
Sessions**

At budget sessions the legislature shall be limited to the consideration and enactment of the general appropriations bill for the succeeding fiscal year and bills to authorize proposed capital expenditures, revenue bills necessary therefor, urgency measures deemed necessary in the public interest, bills calling elections, proposed constitutional amendments and bills to provide for the expenses of such session and the special session to be convened thereafter in accordance with the provisions of Section 17 of this article. The legislature may also consider and act upon matters relating to the impeachment or removal of officers. No urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in one section thereof and until such section shall have been first approved by each house. The approval of such section and the final passage of such measure in each house shall require a two-thirds vote of

all the members to which such house is entitled, taken by ayes and noes and entered upon its journal.

**Sessions;
Commencement;
Duration**

Regular sessions shall commence at 10:00 o'clock a. m., on the third Wednesday in February. General sessions shall be limited to a period of sixty days and budget sessions and special sessions to a period of thirty days, but the governor may extend any session for not more than thirty days. Sundays and holidays shall be excluded in computing the number of days of any session.

Adjournment

SECTION 12. Neither house shall adjourn during any session of the legislature for more than three days, or sine die, without the consent of the other.

**Organization;
Discipline;
Rules;
Procedure**

SECTION 13. Each house shall be the judge of the elections, returns and qualifications of its own members and shall have, for misconduct, disorderly behavior or neglect of duty of any member, power to punish such member by censure or, upon a two-thirds vote of all the members to which such house is entitled, by suspension or expulsion of such member. Each house shall choose its own officers, determine the rules of its proceedings and keep a journal. The ayes and noes of the members on any question shall, at the desire of one-fifth of the members present, be entered upon the journal.

Twenty days after a bill has been referred to a committee in either house, the same may be recalled from such committee by the affirmative vote of one-third of the members to which such house is entitled.

**Quorum;
Compulsory
Attendance**

SECTION 14. A majority of the number of members to which each house is entitled shall constitute a quorum of such house for the conduct of ordinary business, of which quorum a majority vote shall suffice; but the final passage of a bill in each house shall require the vote of a majority of all the members to which such house is entitled, taken by ayes and noes and entered upon its journal. A smaller number than a quorum may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

**Bills;
Enactment**

SECTION 15. No law shall be passed except by bill. Each law shall embrace but one subject, which shall be expressed in its title. The enacting clause of each law shall be, "Be it enacted by the legislature of the State of Hawaii."

**Passage of
Bills**

SECTION 16. No bill shall become law unless it shall pass three readings in each house, on separate days. Every bill when passed by the house in which it originated, or in which amendments thereto shall have originated, shall immediately be certified by the presiding officer and clerk and sent to the other house for consideration.

Approval or Veto

SECTION 17. Every bill which shall have passed the legislature shall be certified by the presiding officers and clerks of both houses and shall thereupon be presented to the governor. If he approves it, he shall sign it and it shall become law. If the governor does not approve such bill, he may return it, with his objections to the legislature. He may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same; but he shall veto other bills, if at all, only as a whole.

The governor shall have ten days to consider bills presented to him ten or more days before the adjournment of the legislature sine die, and if any such bill is neither signed nor returned by the governor within that time, it shall become law in like manner as if he had signed it.

Reconsideration After Adjournment

The governor shall have forty-five days, after the adjournment of the legislature sine die, to consider bills presented to him less than ten days before such adjournment, or presented after adjournment, and any such bill shall become law on the forty-fifth day unless the governor by proclamation shall have given ten days' notice to the legislature that he plans to return such bill with his objections on that day. The legislature may convene at or before noon on the forty-fifth day in special session, without call, for the sole purpose of acting upon any such bill returned by the governor. In case the legislature shall fail to so convene, such bill shall not become law. Any such bill may be amended to meet the governor's objections and, if so amended and passed, only one reading being required in each house for such passage, it shall be presented again to the governor, but shall become law only if he shall sign it within ten days after presentation.

Sundays and holidays shall be excluded in computing the number of days designated in this section.

Procedures Upon Veto

SECTION 18. Upon the receipt of a veto message from the governor, each house shall enter the same at large upon its journal and proceed to reconsider the vetoed bill, or the item or items vetoed, and again vote upon such bill, or such item or items, by ayes and noes, which shall be entered upon its journal. If after such reconsideration such bill, or such item or items, shall be approved by a two-thirds vote of all members to which each house is entitled, the same shall become law.

Punishment of Non-Members

SECTION 19. Each house may punish by fine, or by imprisonment not exceeding thirty days, any person not a member of either house who shall be guilty of disrespect of such house by any disorderly or contemptuous behavior in its presence or that of any committee thereof; or who shall, on account of the exercise of any legislative function, threaten harm to the body or estate of any of the members of such house; or who shall assault, arrest or detain any witness or other person ordered to

attend such house, on his way going to or returning therefrom; or who shall rescue any person arrested by order of such house.

Any person charged with such an offense shall be informed in writing of the charge made against him, and have an opportunity to present evidence and be heard in his own defense.

Impeachment

SECTION 20. The governor and lieutenant governor, and any appointive officer for whose removal the consent of the senate is required, may be removed from office upon conviction of impeachment for such causes as may be provided by law.

The house of representatives shall have the sole power of impeachment of the governor and lieutenant governor and the senate the sole power to try such impeachments, and no such officer shall be convicted without the concurrence of two-thirds of the members of the senate. When sitting for that purpose, the members of the senate shall be on oath or affirmation and the chief justice shall preside. Subject to the provisions of this paragraph, the legislature may provide for the manner and procedure of removal by impeachment of such officers.

The legislature shall by law provide for the manner and procedure of removal by impeachment of the appointive officers.

Judgments in cases of impeachment shall not extend beyond removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the State; but the person convicted may nevertheless be liable and subject to indictment, trial, judgment and punishment according to law.

ARTICLE IV

THE EXECUTIVE

Establishment of The Executive

SECTION 1. The executive power of the State shall be vested in a governor.

The governor shall be elected by the qualified voters of this State at a general election. The person receiving the highest number of votes shall be the governor. In case of a tie vote, the selection of the governor shall be determined in accordance with law.

The term of office of the governor shall begin at noon on the first Monday in December next following his election and end at noon on the first Monday in December, four years thereafter.

No person shall be eligible to the office of governor unless he shall be a qualified voter, have attained the age of thirty-five years and have been a citizen of the United States for twenty years and a resident of this State for five years next preceding his election.

The governor shall not hold any other office or employment of profit under the State or the United States during his term of office.

**Lieutenant
Governor**

SECTION 2. There shall be a lieutenant governor, who shall have the same qualifications as the governor. He shall be elected at the same time, for the same term, and in the same manner, as the governor. He shall perform such duties as may be prescribed by law.

**Compensation,
Governor,
Lieutenant
Governor**

SECTION 3. The compensation of the governor and of the lieutenant governor shall be prescribed by law, but shall not be less than eighteen thousand dollars, and twelve thousand dollars, respectively, per annum. Such compensation shall not be increased or diminished for their respective terms, unless by general law applying to all salaried officers of the State. When the lieutenant governor succeeds to the office of governor, he shall receive the compensation for that office.

**Succession to
Governorship;
Absence or
Disability of
Governor**

SECTION 4. When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the absence of the governor from the State, or his inability to exercise and discharge the powers and duties of his office, such powers and duties shall devolve upon the lieutenant governor during such absence or disability.

When the office of lieutenant governor is vacant, or in the event of the absence of the lieutenant governor from the State, or his inability to exercise and discharge the powers and duties of his office, such powers and duties shall devolve upon such officers in such order of succession as may be provided by law.

In the event of the impeachment of the governor or of the lieutenant governor, he shall not exercise the powers of his office until acquitted.

**Executive
Powers**

SECTION 5. The governor shall be responsible for the faithful execution of the laws. He shall be commander in chief of the armed forces of the State and may call out such forces to execute the laws, suppress or prevent insurrection or lawless violence or repel invasion. He shall, at the beginning of each session, and may, at other times, give to the legislature information concerning the affairs of the State and recommend to its consideration such measures as he shall deem expedient.

The governor may grant reprieves, commutations and pardons, after conviction, for all offenses, subject to regulation by law as to the manner of applying for the same. The legislature may, by general law, authorize the governor to grant pardons before conviction, to grant pardons for impeachment and to restore civil rights denied by reason of conviction of offenses by tribunals other than those of this State.

The governor shall appoint an administrative director to serve at his pleasure.

**Executive and
Administrative
Offices and
Departments**

SECTION 6. All executive and administrative offices, departments and instrumentalities of the state government and their respective functions, powers and duties shall be allocated by law among and within not more than twenty principal departments in such manner as to group the same according to major purposes so far as practicable. Temporary commissions or agencies for special purposes may be established by law and need not be allocated within a principal department.

Each principal department shall be under the supervision of the governor and, unless otherwise provided in this constitution or by law, shall be headed by a single executive. Such single executive shall be nominated and, by and with the advice and consent of the senate, appointed by the governor and he shall hold office for a term to expire at the end of the term for which the governor was elected. The governor may, by and with the advice and consent of the senate, remove such single executive.

Whenever a board, commission or other body shall be the head of a principal department of the state government, the members thereof shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. The term of office and removal of such members shall be as prescribed by law. Such board, commission or other body may appoint a principal executive officer, who, when authorized by law, may be ex officio a voting member thereof, and who may be removed by a majority vote of the members appointed by the governor.

The governor shall nominate and, by and with the advice and consent of the senate, appoint all officers for whose election or appointment provision is not otherwise made by this constitution or by law. The legislature may provide for the suspension or removal for cause, by the governor, of any officer for whose removal the consent of the senate is required by this constitution.

When the senate is not in session and a vacancy occurs in any office, appointment to which requires the confirmation of the senate, the governor may fill the office by granting a commission which shall, unless such appointment is confirmed, expire at the end of the next session of the senate; but the person so appointed shall not be eligible for another interim appointment to such office if the appointment shall have failed of confirmation by the senate.

No person who has been nominated for appointment to any office and whose appointment has not received the consent of the senate shall be eligible to an interim appointment thereafter to such office.

All officers appointed under the provisions of this section shall be citizens of this State and shall have been residents of the State for at least three years next preceding their appointment.

ARTICLE V

THE JUDICIARY

Judicial Power

SECTION 1. The judicial power of the State shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish. The several courts shall have original and appellate jurisdiction as provided by law.

Supreme Court

SECTION 2. The supreme court shall consist of a chief justice and four associate justices. When necessary, the chief justice shall assign a judge or judges of a circuit court to serve temporarily on the supreme court. In case of a vacancy in the office of chief justice, or if he is ill, absent or otherwise unable to serve, an associate justice designated in accordance with the rules of the supreme court shall serve temporarily in his stead.

Appointment of Judges

SECTION 3. The governor shall nominate and, by and with the advice and consent of the senate, appoint the justices of the supreme court and the judges of the circuit courts. No nomination shall be sent to the senate, and no interim appointment shall be made when the senate is not in session, until after ten days' public notice by the governor.

Qualifications

No justice or judge shall hold any other office or position of profit under the State or the United States. No person shall be eligible to such office who shall not have been admitted to practice law before the supreme court of this State for at least ten years. Any justice or judge who shall become a candidate for an elective office shall thereby forfeit his office.

Tenure

The term of office of a justice of the supreme court shall be seven years and that of a judge of a circuit court shall be six years.

Compensation

They shall receive for their services such compensation as may be prescribed by law, which shall not be diminished during their respective terms of office, unless by general law applying to all salaried officers of the State. They shall be retired upon attaining the age of seventy years. They shall be included in any retirement law of the State. They shall be subject to removal from office upon the concurrence of two-thirds of the membership of each house of the legislature, sitting in joint session, for such causes and in such manner as may be provided by law.

Retirement

Removal

Retirement for Incapacity

SECTION 4. Whenever a commission or agency, authorized by law for such purpose, shall certify to the governor that any justice of the supreme court or judge of a circuit court appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the governor shall appoint a board of three persons to inquire into the circumstances and on their recommendation the governor may retire the justice or judge from office.

Administration

SECTION 5. The chief justice of the supreme court shall be the administrative head of the courts. He may assign judges from one circuit court to another for temporary service. With the approval of the supreme court he shall appoint an administrative director to serve at his pleasure.

Rules

SECTION 6. The supreme court shall have power to promulgate rules and regulations in all civil and criminal cases for all courts relating to process, practice, procedure and appeals, which shall have the force and effect of law.

ARTICLE VI**TAXATION AND FINANCE****Taxing Power
Inalienable**

SECTION 1. The power of taxation shall never be surrendered, suspended or contracted away.

**Taxation of
Non-Resident
Citizens**

SECTION 2. The land and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof.

Debt Limitations

SECTION 3. All bonds and other instruments of indebtedness issued by or on behalf of the State or a political subdivision thereof must be authorized by the legislature, and bonds and other instruments of indebtedness of a political subdivision must also be authorized by its governing body.

Sixty million dollars is established as the limit of the funded debt of the State at any time outstanding and unpaid. Bonds and other instruments of indebtedness in excess of such limit may be issued when authorized by a two-thirds vote of all the members to which each house of the legislature is entitled, provided such excess debt, at the time of authorization, would not cause the total of state indebtedness to exceed a sum equal to fifteen percent of the total of assessed values for tax rate purposes of real property in the State, as determined by the last tax assessment rolls pursuant to law.

Instruments of indebtedness to meet appropriations for any fiscal period in anticipation of the collection of revenues for such period or to meet casual deficits or failures of revenue, which shall be payable within one year, and bonds or other instruments of indebtedness to suppress insurrection, to repel invasion, to defend the State in war or to meet emergencies caused by disaster or act of God, may be issued by the State under legislative authorization without regard to any debt limit.

A sum equal to ten percent of the total of the assessed values for tax rate purposes of real property in any political subdivision, as determined by the last tax assessment rolls pursuant to law, is established as the limit of the funded debt of such political subdivision at any time outstanding and unpaid. The

aggregate, however, of such debts contracted by any political subdivision during a fiscal year shall not exceed two percent of the total of such assessed values in such political subdivision.

Instruments of indebtedness to meet appropriations for any fiscal period in anticipation of the collection of revenues for such period or to meet casual deficits or failures of revenue, which shall be payable within one year, may be issued by any political subdivision under authorization of law and of its governing body, without regard to the limits of debt hereinabove provided.

All bonds or other instruments of indebtedness for a term exceeding one year shall be in serial form maturing in substantially equal annual installments, the first installment to mature not later than five years from the date of the issue of such series, and the last installment not later than thirty-five years from the date of such issue. Interest and principal payments shall be a first charge on the general revenues of the State or political subdivision, as the case may be.

The provisions of this section shall not be applicable to indebtedness incurred under revenue bond statutes by a public enterprise of the State or political subdivision, or by a public corporation, when the only security for such indebtedness is the revenues of such enterprise or public corporation, or to indebtedness incurred under special improvement statutes when the only security for such indebtedness is the properties benefited or improved or the assessments thereon.

Nothing in this section shall prevent the refunding of any indebtedness at any time.

The Budget

SECTION 4. Within such time prior to the opening of each regular session as may be prescribed by law, the governor shall submit to the legislature a budget setting forth a complete plan of proposed general fund expenditures and anticipated receipts of the State for the ensuing fiscal period, together with such other information as the legislature may require. The budget shall be compiled in two parts, one setting forth all proposed operating expenditures for the ensuing fiscal period and the other, all capital improvements expenditures proposed to be undertaken during such period. The governor shall also, upon the opening of the session, submit bills to provide for such proposed expenditures and for any recommended additional revenues or borrowings by which the proposed expenditures are to be met. Such bills shall be introduced in the legislature upon the opening of each regular session.

Legislative Appropriations; Procedure

SECTION 5. No appropriation bill, except bills recommended by the governor for immediate passage, or to cover the expenses of the legislature, shall be passed on final reading until the bill authorizing operating expenditures for the ensuing fiscal period, to be known as the general appropriations bill, shall have been transmitted to the governor.

**Appropriations
for Private
Purposes
Prohibited**

SECTION 6. No tax shall be levied or appropriation of public money or property made, nor shall the public credit be used, directly or indirectly, except for a public purpose. No grant shall be made in violation of Section 3 of Article I of this constitution.

**Expenditure
Controls**

SECTION 7. Provision for the control of the rate of expenditures of appropriated state moneys, and for the reduction of such expenditures under prescribed conditions, shall be made by law.

Auditor

SECTION 8. The legislature, by a majority vote of each house in joint session, shall appoint an auditor who shall serve for a period of eight years and thereafter until a successor shall have been appointed. The legislature, by a two-thirds vote of the members in joint session, may remove the auditor from office at any time for cause. It shall be the duty of the auditor to conduct post-audits of all transactions and of all accounts kept by or for all departments, offices and agencies of the State and its political subdivisions, to certify to the accuracy of all financial statements issued by the respective accounting officers and to report his findings and recommendations to the governor and to the legislature at such times as shall be prescribed by law. He shall also make such additional reports and conduct such other investigations as may be directed by the legislature.

ARTICLE VII

LOCAL GOVERNMENT

**Political
Subdivisions;
Creation,
Powers**

SECTION 1. The legislature shall create counties, and may create other political subdivisions within the State, and provide for the government thereof. Each political subdivision shall have and exercise such powers as shall be conferred under general laws.

**Local
Self-Government;
Charter**

SECTION 2. Each political subdivision shall have power to frame and adopt a charter for its own self-government within such limits and under such procedures as may be prescribed by law.

**Taxation and
Finance**

SECTION 3. The taxing power shall be reserved to the State except so much thereof as may be delegated by the legislature to the political subdivisions, and the legislature shall have the power to apportion state revenues among the several political subdivisions.

**Mandates;
Accrued Claims**

SECTION 4. No law shall be passed mandating any political subdivision to pay any previously accrued claim.

Statewide Laws

SECTION 5. This article shall not limit the power of the legislature to enact laws of statewide concern.

ARTICLE VIII

PUBLIC HEALTH AND WELFARE

Public Health

SECTION 1. The State shall provide for the protection and promotion of the public health.

**Care of
Handicapped**

SECTION 2. The State shall have power to provide for treatment and rehabilitation, as well as domiciliary care, of mentally or physically handicapped persons.

**Public
Assistance**

SECTION 3. The State shall have power to provide assistance for persons unable to maintain a standard of living compatible with decency and health.

**Slum Clearance,
Rehabilitation
and Housing**

SECTION 4. The State shall have power to provide for, or assist in, slum clearance and the development or rehabilitation of substandard areas, including housing for persons of low income.

**Public Sightliness
and Good Order**

SECTION 5. The State shall have power to conserve and develop its natural beauty, objects and places of historic or cultural interest, sightliness and physical good order, and for that purpose private property shall be subject to reasonable regulation.

ARTICLE IX

EDUCATION

Public Education

SECTION 1. The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no segregation in public educational institutions because of race, religion or ancestry; nor shall public funds be appropriated for the support or benefit of any sectarian or private educational institution.

**Board of
Education**

SECTION 2. There shall be a board of education, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor from panels submitted by local school advisory councils to be established by law. At least part of the membership of the board shall represent geographic subdivisions of the State.

**Powers of the
Board of
Education**

SECTION 3. The board of education shall have power, in accordance with law, to formulate policy, and to exercise control over the public school system through its executive officer, the superintendent of public instruction, who shall be appointed by the board and shall be ex officio a voting member thereof.

**University of
Hawaii**

SECTION 4. The University of Hawaii is hereby established as the state university and constituted a body corporate. It shall have title to all the real and personal property now or hereafter set aside or conveyed to it, which shall be held in public trust for its purposes, to be administered and disposed of according to law.

**Board of
Regents;
Powers**

SECTION 5. There shall be a board of regents of the University of Hawaii, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. At least part of the membership of the board shall represent geographic subdivisions of the State. The president of the university and the superintendent of public instruction shall be ex officio voting members of the board. The board shall have power, in accordance with law, to formulate policy, and to exercise control over the university through its executive officer, the president of the university, who shall be appointed by the board.

ARTICLE X

CONSERVATION AND DEVELOPMENT OF RESOURCES

**Resources;
Conservation,
Development
and Use**

SECTION 1. The legislature shall promote the conservation, development and utilization of agricultural resources, and fish, mineral, forest, water, land, game and other natural resources.

**Natural Resources;
Management and
Disposition**

SECTION 2. The legislature shall vest in one or more executive boards or commissions powers for the management of natural resources owned or controlled by the State, and such powers of disposition thereof as may be authorized by law; but land set aside for public use, other than for a reserve for conservation purposes, need not be placed under the jurisdiction of such a board or commission.

The mandatory provisions of this section shall not apply to the natural resources owned by or under the control of a political subdivision or a department or agency thereof.

**Sea
fisheries**

SECTION 3. All fisheries in the sea waters of the State not included in any fish pond or artificial inclosure shall be free to the public, subject to vested rights and the right of the State to regulate the same.

**General Laws
Required;
Exceptions**

SECTION 4. The legislative power over the lands owned by or under the control of the State and its political subdivisions shall be exercised only by general laws, except in respect to transfers to or for the use of the State, a political subdivision, or any department or agency thereof.

**Farm and Home
Ownership**

SECTION 5. The public lands shall be used for the development of farm and home ownership on as widespread a basis as possible, in accordance with procedures and limitations prescribed by law.

ARTICLE XI**HAWAIIAN HOME LANDS****Hawaiian Homes
Commission Act**

SECTION 1. Anything in this constitution to the contrary notwithstanding, the Hawaiian Homes Commission Act, 1920, enacted by the Congress, as the same has been or may be amended prior to the admission of the State, is hereby adopted as a law of the State, subject to amendment or repeal by the legislature, provided, that, if and to the extent that the United States shall so require, said law shall be subject to amendment or repeal only with the consent of the United States and in no other manner, provided, further, that, if the United States shall have been provided or shall provide that particular provisions or types of provisions of said Act may be amended in the manner required for ordinary state legislation, such provisions or types of provisions may be so amended. The proceeds and income from Hawaiian home lands shall be used only in accordance with the terms of said Act, and the legislature may, from time to time, make additional sums available for the purposes of said Act by appropriating the same in the manner provided by law.

**Compact with the
United States**

SECTION 2. The State and its people do hereby accept, as a compact with the United States, or as conditions or trust provisions imposed by the United States, relating to the management and disposition of the Hawaiian home lands, the requirement that Section 1 hereof be included in this constitution, in whole or in part, it being intended that the Act or Acts of the Congress pertaining thereto shall be definitive of the extent and nature of such compact, conditions or trust provisions, as the case may be. The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out.

ARTICLE XII**ORGANIZATION, COLLECTIVE BARGAINING****Private
Employees**

SECTION 1. Persons in private employment shall have the right to organize for the purpose of collective bargaining.

**Public
Employees**

SECTION 2. Persons in public employment shall have the right to organize and to present and make known their grievances and proposals to the State, or any political subdivision or any department or agency thereof.

ARTICLE XIII

STATE BOUNDARIES, CAPITAL FLAG

Boundaries

SECTION 1. The State of Hawaii shall include the islands and territorial waters heretofore constituting the Territory of Hawaii.

Capital

SECTION 2. Honolulu, on the Island of Oahu, shall be the capital of the State.

State Flag

SECTION 3. The Hawaiian flag shall be the flag of the State.

ARTICLE XIV

GENERAL AND MISCELLANEOUS PROVISIONS

Civil Service

SECTION 1. The employment of persons in the civil service, as defined by law, of or under the State, shall be governed by the merit principle.

**Employees
Retirement
System**

SECTION 2. Membership in any employees' retirement system of the State or any political subdivision thereof shall be a contractual relationship, the accrued benefits of which shall not be diminished or impaired.

**Disqualification
for Disloyalty**

SECTION 3. No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment.

Oath of Office

SECTION 4. All public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability." The legislature may prescribe further oaths or affirmations.

**Intergovernmental
Relations**

SECTION 5. The legislature may provide for cooperation on the part of this State and its political subdivisions with the United States, or other states and territories, or their political subdivisions, in matters affecting the public health, safety and general welfare, and funds may be appropriated to effect such cooperation.

Federal Lands

SECTION 6. The United States shall be vested with or retain title to or an interest in or shall hold the property in the Territory of Hawaii set aside for the use of the United States and remaining so set aside immediately prior to the admission of this State, in all respects as and to the extent set forth in the act or resolution providing for the admission of this State to the Union.

**Compliance
with Trust**

SECTION 7. Any trust provisions which the Congress shall impose, upon the admission of this State, in respect of the lands patented to the State by the United States or the proceeds and income therefrom, shall be complied with by appropriate legislation. .

**Administration
of Undisposed
Lands**

SECTION 8. The lands and other property, the final determination and disposition of which shall not have been made by the Congress upon the admission of this State, shall, pending such determination and disposition, continue to be administered in accordance with the laws applicable thereto immediately prior to the admission of this State, except as the Congress may consent to any amendment of said laws, and no provision of this constitution for the exercise of powers or functions other than in accordance with such laws shall, without the consent of the Congress, apply to the lands or property so administered.

**Federal Property,
Tax Exemption**

SECTION 9. No taxes shall be imposed by the State upon any lands or other property now owned or hereafter acquired by the United States, except as the same shall become taxable by reason of disposition thereof by the United States or by reason of the consent of the United States to such taxation.

**Hawaii National
Park**

SECTION 10. All provisions of the act or resolution admitting this State to the Union, or providing for such admission, which reserve to the United States jurisdiction of Hawaii National Park, or the ownership or control of lands within Hawaii National Park, are consented to fully by the State and its people.

Judicial Rights

SECTION 11. All those provisions of the act or resolution admitting this State to the Union, or providing for such admission, which reserve to the United States judicial rights or powers are consented to fully by the State and its people; and those provisions of said act or resolution which preserve for the State judicial rights and powers are hereby accepted and adopted, and such rights and powers are hereby assumed, to be exercised and discharged pursuant to this constitution and the laws of the State.

**Titles, Subtitles,
Personal Pronouns;
Construction**

SECTION 12. Titles and subtitles shall not be used for purposes of construing this constitution.

Whenever any personal pronoun appears in this constitution, it shall be construed to mean either sex.

General Power

SECTION 13. The enumeration in this constitution of specified powers shall not be construed as limitations upon the power of the State to provide for the general welfare of the people.

**Provisions
Self-Executing**

SECTION 14. The provisions of this constitution shall be self-executing to the fullest extent that their respective natures permit.

ARTICLE XV

REVISION AND AMENDMENT

**Methods of
Proposal**

SECTION 1. Revisions of or amendments to this constitution may be proposed by constitutional convention or by the legislature.

**Constitutional
Convention**

SECTION 2. The legislature may submit to the electorate at any general or special election the question, "Shall there be a convention to propose a revision of or amendments to the Constitution?" If any ten-year period shall elapse during which the question shall not have been submitted, the lieutenant governor shall certify the question, to be voted on at the first general election following the expiration of such period.

**Election
of Delegates**

If a majority of the ballots cast upon such question be in the affirmative, delegates to the convention shall be chosen at the next regular election unless the legislature shall provide for the election of delegates at a special election.

Notwithstanding any provision in this constitution to the contrary, other than Section 3 of Article XIV, any qualified voter of the district concerned shall be eligible to membership in the convention.

Unless the legislature shall otherwise provide, there shall be the same number of delegates to such convention, who shall be elected from the same areas, and the convention shall be convened in the same manner, as nearly as practicable, as required for the Hawaii State Constitutional Convention of 1950.

**Organization:
Procedure**

The convention shall determine its own organization and rules of procedure. It shall be the sole judge of the elections, returns and qualifications of its members and, by a two-thirds vote, may suspend or remove any member for cause. The governor shall fill any vacancy by appointment of a qualified voter from the district concerned.

**Ratification;
Appropriations**

The convention shall provide for the time and manner in which the proposed constitutional revision or amendments shall be submitted to a vote of the electorate, but no such revision or amendments shall be effective unless approved at a general election by a majority of all of the votes tallied upon the question, such majority constituting at least thirty-five percent of the total vote cast at such election, or at a special election by a majority of the total vote tallied upon such question, such majority constituting at least thirty-five percent of the total number of registered voters; provided, that no constitutional amendment altering this proviso or the representation from any senatorial district in the senate shall become effective unless it shall also be approved by a majority of the votes tallied upon the question in each of a majority of the counties.

The provisions of this section shall be self-executing, but the legislature shall make the necessary appropriations and may enact legislation to facilitate their operation.

**Amendments
Proposed by
Legislature**

SECTION 3. The legislature may propose amendments to the constitution by adopting the same, in the manner required for legislation, by a two-thirds vote of each house on final reading at any session, after either or both houses shall have given the governor at least ten days' written notice of the final form of the proposed amendment, or, with or without such notice, by a majority vote of each house on final reading at each of two successive sessions.

Upon such adoption, the proposed amendments shall be entered upon the journals, with the ayes and noes, and published once in each of four successive weeks in at least one newspaper of general circulation in each senatorial district wherein such a newspaper is published, within the two months' period immediately preceding the next general election.

At such general election the proposed amendments shall be submitted to the electorate for approval or rejection upon a separate ballot.

The conditions of and requirements for ratification of such proposed amendments shall be the same as provided in Section 2 of this article for ratification at a general election.

Veto

SECTION 4. No proposal for amendment of the constitution adopted in either manner provided by this article shall be subject to veto by the governor.

ARTICLE XVI

SCHEDULE

Representative Districts

**Description:
Number of
Members**

SECTION 1. As provided in Section 3 of Article III until the next reapportionment, the representative districts and the number of members to be elected from each shall be as follows:

First representative district: that portion of the island of Hawaii known as Puna, one representative;

Second representative district: that portion of the island of Hawaii known as South Hilo, four representatives;

Third representative district: that portion of the island of Hawaii known as North Hilo and Hamakua, one representative;

Fourth representative district: that portion of the island of Hawaii known as Kau and South Kona and that portion of North Kona, for convenience herein referred to as Keauhou, more particularly described as follows: from a point at the seashore between the lands of Holualoa 1 and 2 and Puapuaa 2 running northeasterly along the boundary of Holualoa 1 and 2 to Puu Laalau; (2) easterly in a straight line to a point called

"Naohuelelua" being the common corner of the lands of Puuanahulu, Kaohe and Keauhou 2nd; (3) southeasterly along the common boundary between Hamakua and North Kona districts to the summit of Mauna Loa; (4) westerly along the common boundary between Kau and North Kona districts to the easterly boundary of South Kona district; (5) northerly and westerly along the boundary between North and South Kona districts to the seashore; and (6) northerly along the seashore to the point of beginning; one representative;

Fifth representative district: that portion of the island of Hawaii known as Kohala and that portion of North Kona not included in the fourth representative district, one representative;

Sixth representative district: the islands of Molokai and Lanai, one representative;

Seventh representative district: the islands of Maui and Kahoolawe, five representatives;

Eighth representative district: that portion of the island of Oahu known as Koolaupoko and Koolauloa, two representatives;

Ninth representative district: that portion of the island of Oahu known as Waialua and Wahiawa, two representatives;

Tenth representative district: that portion of the island of Oahu known as Ewa and Waianae, two representatives;

Eleventh representative district: that portion of the island of Oahu, for convenience herein referred to as Kalihi, more particularly described as follows: from the intersection of Kalihi and Auiki Streets running westerly along Auiki Street to Mokauea Street; (2) southwesterly along Mokauea Street Extension extended to a point on the outer edge of the reef; (3) westerly along the outer edge of the reef to a point on the Moanalua-Halawa boundary; (4) northerly and northeasterly along the Moanalua-Halawa boundary to the top of Koolau Range; (5) southeasterly along the top of Koolau Range to a place called "Puu Lanihuli"; (6) southwesterly along the top of the ridge between the lands of Kalihi, Kapalama and Nuuanu to Kalihi Street; and (7) southwesterly along Kalihi Street to the point of beginning, three representatives;

Twelfth representative district: that portion of the island of Oahu, for convenience herein referred to as upper Nuuanu, more particularly described as follows: from the intersection of King and Kalihi Streets running northeasterly along Kalihi Street to the ridge between the lands of Kalihi, Kapalama and Nuuanu; (2) northeasterly along the top of said ridge to a point on the Koolau Range called "Puu Lanihuli"; (3) easterly along the top of said Range to Pali Road at the Nuuanu Pali; (4) southwesterly along Pali Road to Nuuanu Avenue and southwesterly along Nuuanu Avenue to School Street; (5) northwesterly along School Street to the center line of the Kapalama Drainage Canal (Waikiki Branch); (6) southwesterly along said Canal to the center line of the main Kapalama

Drainage Canal; (7) southwesterly along said Canal to King Street; and (8) northwesterly along King Street to the point of beginning, three representatives;

Thirteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Kapalama, more particularly described as follows: from the junction of the Honolulu Harbor Channel and the reef running westerly along the outer edge of the reef to Mokauea Street Extension extended, (2) northeasterly along Mokauea Street Extension extended to Sand Island Road; (3) northeasterly along Mokauea Street Extension to Auiki Street; (4) easterly along Auiki Street to Kalihi Street; (5) northeasterly along Kalihi Street to King Street; (6) southeasterly along King Street to the center line of the main Kapalama Drainage Canal; (7) northerly along said Canal to the center line of the Kapalama Drainage Canal (Waikiki Branch); (8) northeasterly along said Canal to School Street; (9) southeasterly along School Street to Nuuanu Avenue; (10) southwesterly along Nuuanu Avenue to the sea, and (11) southwesterly along the middle of Honolulu Harbor and Honolulu Harbor Channel to the point of beginning, three representatives;

Fourteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Pauoa, more particularly described as follows: from the junction of the Honolulu Harbor Channel and the outer edge of the reef running northeasterly along the middle of Honolulu Harbor Channel and Honolulu Harbor to the intersection of Queen Street and Nuuanu Avenue; (2) northeasterly along Nuuanu Avenue to Pali Road and northeasterly along Pali Road to the top of the Koolau Range at the Nuuanu Pali; (3) easterly and southerly along the top of the Koolau Range to a point called "Puu Konahuanui"; (4) southwesterly along the top of the ridge between the lands of Nuuanu, Pauoa and Manoa to a mountain peak called "Puu Ohia" or "Tantalus"; (5) southwesterly along the top of the ridge between the lands of Makiki and Kalawahine to the intersection of Nehoa Street and Lewalani Drive; (6) southerly along Lewalani Drive and Piikoi Street to Wilder Avenue; (7) easterly along Wilder Avenue to Punahou Street; (8) southerly along Punahou Street to King Street; (9) westerly along King Street to Kalakaua Avenue; (10) southerly along Kalakaua Avenue to the center line of the Ala Wai Canal; (11) westerly along said Canal and along the line of said Canal extended to the outer edge of the reef; and (12) westerly along the outer edge of the reef to the point of beginning, five representatives;

Fifteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Manoa and Waikiki, more particularly described as follows: from the intersection of Kalakaua Avenue and the center line of the Ala

Wai Canal running northerly along Kalakaua Avenue to King Street; (2) easterly along King Street to Punahou Street; (3) northerly along Punahou Street to Wilder Avenue; (4) westerly along Wilder Avenue to Piikoi Street; (5) northerly along Piikoi Street to Lewalani Drive; (6) northerly along Lewalani Drive to Nehoa Street; (7) northeasterly along the top of the ridge between the lands of Makiki and Kalawahine to a mountain peak called "Puu Ohia" or "Tantalus"; (8) northeasterly along the top of the ridge between the lands of Pauoa, Manoa and Nuuanu to a point on the Koolau Range called "Puu Konahuanui"; (9) southeasterly along the top of said Range to a place called "Mt. Olympus"; (10) southwesterly along the top of Waahila Ridge to the top edge of Palolo Valley; (11) southwesterly along the top edge of said Valley to the forest reserve boundary; (12) southwesterly along the southeasterly boundary of St. Louis Heights Tract, Series 2 (File Plan 464) to the southerly boundary of said Tract 100 feet southeasterly from Alencastre Street; (13) southwesterly parallel to and 100 feet from Alencastre Street and St. Louis Drive to Waialae Avenue; (14) westerly along Waialae Avenue to Kapahulu Avenue extended; (15) southerly across Waialae Avenue and along Kapahulu Avenue to Kalakaua Avenue; (16) westerly along Kapahulu Avenue extended to the outer edge of the reef; (17) northwesterly along the outer edge of the reef to a point on the line extended of the center line of the Ala Wai Canal; and (18) easterly along said line to the point of beginning, six representatives;

Sixteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Kaimuki and Kapahulu, more particularly described as follows: from a point at the seacoast at a place called "Black Point" running westerly along the seacoast to Kapahulu Avenue extended to the sea; (2) easterly across Kalakaua Avenue and easterly and northerly along Kapahulu Avenue to Waialae Avenue; (3) easterly along Waialae Avenue to a point 100 feet easterly of St. Louis Drive; (4) northeasterly across Waialae Avenue then parallel to and 100 feet from St. Louis Drive and Alencastre Street to the southerly boundary of St. Louis Heights Tract, Series 2 (File Plan No. 464); (5) northeasterly along the southeasterly boundary of said Tract to the forest reserve boundary; (6) northeasterly along the top ridge of Palolo Valley to the top of Waahila Ridge; (7) northeasterly along the top of Waahila Ridge to a point on Koolau Range called "Mt. Olympus"; (8) easterly along the top of the Koolau Range to the top of the ridge between the lands of Waialae Nui and Palolo; (9) southwesterly along the top of said ridge to a place called "Kalepeamoa"; (10) southwesterly along Mauumae Ridge to Sierra Drive; (11) southwesterly along Sierra Drive to Waialae Avenue; (12) easterly along Waialae Avenue to 13th Avenue;

(13) southwesterly along 13th Avenue and Ocean View Drive to Kilauea Avenue; (14) westerly along Kilauea Avenue to Makapuu Avenue; (15) southwesterly along Makapuu Avenue to Diamond Head Road; and (16) southeasterly along Diamond Head Road to the Military Road and along the Military Road extended to the point of beginning, four representatives;

Seventeenth representative district: that portion of the island of Oahu not included in any other representative district on the island of Oahu, together with all other islands not included in any other representative district, three representatives;

Eighteenth representative district: the islands of Kauai and Niihau, four representatives.

Wherever a roadway, or the intersection of one or more roadways, is designated as a boundary in any of the above descriptions, the center line of such roadway or intersection is intended as such boundary.

TRANSITIONAL PROVISIONS

Continuity of Laws

SECTION 2. All laws in force at the time this constitution takes effect and not inconsistent therewith, including, among others, acts of the Congress relating to the lands in the possession, use and control of the Territory of Hawaii, shall be the laws of the State and remain in force, mutatis mutandis, until they expire by their own limitation, or are altered or repealed by the legislature.

Except as otherwise provided by this constitution, all existing writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, titles and rights shall continue unaffected notwithstanding the taking effect of this constitution, except that the State shall be the legal successor to the Territory in respect thereof, and may be maintained, enforced or prosecuted, as the case may be, before the appropriate or corresponding tribunals or agencies of or under the State or of the United States, in the name of the State, political subdivision, person or other party entitled to do so, in all respects as fully as could have been done prior to taking effect of this constitution.

Debts

SECTION 3. The debts and liabilities of the Territory shall be assumed and paid by the State, and all debts owed to the Territory shall be collected by the State.

Bond Acts

SECTION 4. All acts of the legislature of the Territory authorizing the issuance of bonds by the Territory or its political subdivisions are approved, subject, however, to amendment or repeal by the legislature, and bonds may be issued by the State and its political subdivisions pursuant to said acts. Whenever in said acts the approval of the President or of the Congress is required, the approval of the governor shall suffice.

**Continuance
of Officers**

SECTION 5. Except as otherwise provided by this constitution, all executive officers of the Territory or any political subdivision thereof and all judicial officers who may be in office at the time of admission of this State to the Union shall continue to exercise and discharge the powers and duties of their respective offices until their successors shall have qualified in accordance with this constitution or the laws enacted pursuant thereto.

**Lieutenant
Governor;
Secretary**

SECTION 6. Unless otherwise provided by law, the lieutenant governor shall exercise and discharge the powers and duties of the secretary of the Territory.

**Residence, other
Qualifications**

SECTION 7. Requirements as to residence, citizenship or other status or qualifications in or under the State prescribed by this constitution shall be satisfied pro tanto by corresponding residence, citizenship or other status or qualifications in or under the Territory.

**Allocation of
Departments**

SECTION 8. The provisions of Section 6 of Article IV shall not be mandatory until four years from the date of admission of this State to the Union. The legislature shall within three years from said date allocate and group the executive and administrative offices, departments and instrumentalities of the state government and their respective functions, powers and duties among and within the principal departments pursuant to said section.

If such allocation and grouping shall not have been completed within such period, the governor, within one year thereafter, by executive order, shall make such allocation and grouping.

**Condemnation
of Fisheries**

SECTION 9. All vested rights in fisheries in the sea waters not included in any fish pond or artificial inclosure shall be condemned to the use of the public upon payment of just compensation, which compensation, when lawfully ascertained, shall be paid out of any money in the treasury of the State not otherwise appropriated.

FIRST OFFICERS. PROCEDURES**Elections**

SECTION 10. In case the people of the Territory ratify this constitution and the same is approved by the duly constituted authority of the United States whose approval thereto may be required, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation for primary and final elections, as hereinafter provided, at which officers for all state elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two senators and two representatives to the Congress, and unless and until otherwise required by law, said representatives shall be elected at large.

**Election
Procedure;
Certification**

SECTION 11. Said primary election shall take place not less than sixty nor more than ninety days after said proclamation, and the final election shall take place within forty days after the primary election. Such elections shall be held and the qualifications of voters thereat shall be as prescribed by this constitution and by the laws relating to the election of members of the legislature at primary and general elections. The returns thereof shall be made, canvassed and certified in the manner prescribed by law with respect to the election for the ratification or rejection of this constitution. The governor shall thereupon certify the results thereof to the President.

**Proclamation of
Admission;
Assumption
of Office**

SECTION 12. Upon the issuance by the President of a proclamation announcing the results of said election and the admission of this State to the Union, the officers elected and qualified shall proceed to exercise and discharge the powers and duties pertaining to their respective offices.

**Governor and
Lieutenant
Governor**

SECTION 13. The first governor and lieutenant governor shall hold office for a term beginning with their election and ending at noon on the first Monday in December following the second general election.

**Certification,
United States
Senators and
Representatives**

SECTION 14. The governor of the State and secretary of state shall certify the election of the senators and representatives to the Congress in the manner required by law. For this purpose, the lieutenant governor of this State shall be deemed secretary of state.

**First
Legislature;
Term of Office**

SECTION 15. The terms of office of the members of the first legislature shall be as follows:

Members of the house of representatives shall hold office for a term beginning with their election and ending on the day of the second general election held thereafter.

Members of the senate shall be divided into two classes. The first class shall consist of the following number elected with the highest number of votes from their respective senatorial districts: first district, three; second district, one; third district, two; fourth district, three; fifth district, two; and sixth district, two. Members of the first class shall hold office for a term beginning with their election and ending on the day of the third general election held thereafter. The remaining members elected shall constitute the second class and shall hold office for a term beginning with their election and ending on the day of the second general election held thereafter.

**First Session
of Legislature**

SECTION 16. Ten days after the admission of this State to the Union, the legislature shall convene in special session.

**Salaries of
Legislators**

SECTION 17. Until otherwise provided by law in accordance with Section 10 of Article III, the salary of members of the legislature shall be as follows: the sum of two thousand five hundred dollars for each general session, the sum of one thousand five hundred dollars for each budget session and the sum of seven hundred and fifty dollars for each special session.

**Compensation of
Judges**

SECTION 18. Until the legislature shall otherwise provide under Section 3 of Article V, the chief justice, justices of the supreme court and judges of the circuit courts shall receive as compensation for their services the sums of seventeen thousand five hundred dollars, seventeen thousand dollars and fifteen thousand dollars per annum, respectively, which shall, notwithstanding the provisions of Article V of this constitution, be subject to increase or decrease by the first session of the legislature.

EFFECTIVE DATE

This constitution shall take effect and be in full force immediately upon the admission of Hawaii into the Union as a State.

Done in Convention, at Iolani Palace,
Honolulu, Hawaii, on the twenty-second day
of July, in the year one thousand nine hundred
fifty, and of the Independence of the United
States of America the one hundred and seventy-
fifth.

APPENDIX B

INDEX OF CONGRESSIONAL HEARINGS ON STATEHOOD FOR HAWAII

Twenty-two congressional investigations on the question of admitting Hawaii to statehood have been made since 1935. The date, authorization, and locale of these hearings are as follows:

- (1) 1935: May 31, H.R. 3034, Washington.
- (2) 1935: October 7-18, H.R. 3034, Hawaii.
- (3) 1937: October 6-22, Senate Concurrent Resolution 18, Hawaii.
- (4) 1946: January 7-18, House Resolution 236, Hawaii.
- (5) 1946: June 4, H.R. 3643, Washington.
- (6) 1947: March 7-19, H.R. 49 and 10 identical bills, Washington.
- (7) 1948: January 5-20, H.R. 49 and S. 114, Hawaii.
- (8) 1948: April 15, H.R. 49 and S. 114, Washington.
- (9) 1948: November 1-12, H.R. 49, and S. 114, Hawaii.
- (10) 1949: March 3 and 8, H.R. 49 and related bills, Washington.
- (11) 1950: May 1-5, H.R. 49, Washington.
- (12) 1953: February 23-27, H.R. 49, Washington.
- (13) 1953: March 6, S. 49, Washington.
- (14) 1953: June 29, 30, July 1, 2, 3, 6, 7, 9, 11, and January 7 and 8, 1954, Senate committee on S. 49, S. 51, and H.R. 3575, Washington.
- (15) 1954: January 13-15 and 19, Senate committee on S. 49; S. 51, and H.R. 3575, Washington.
- (16) 1954: December 16 and 17, House subcommittee (public hearings), Hawaii.
- (17) 1955: January 25, 27, 28, February 2, 4, 7, 8, 14, 16, House on H.R. 2535 (Hawaii-Alaska), Washington.
- (18) 1955: February 21, 22, 28, Senate on S. 49 (Hawaii-Alaska), Washington.
- (19) 1957: April 1 and 2, Senate subcommittee on S. 50, Washington.
- (20) 1957: April 8, 9, and 16, House subcommittee on H.R. 49, Washington.
- (21) 1958: November 24 to December 8, Special House subcommittee on H.R. 49, Hawaii.
- (22) 1959: January 26, 27, 28, and February 4, House Interior Committee on H.R. 50 and 23 related bills (including H.R. 4221), Washington.

APPENDIX C

THE PRINTED VOLUMES OF HOUSE AND SENATE HEARINGS AND REPORTS ON HAWAII STATEHOOD

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1. Administration in Hawaii. Senate Interior Committee hearing, Jan. 16, 1933-----	149
2. Hearings before House Territories Committee, May 31, 1935-----	20
3. Statehood for Hawaii. Hearings before House Subcommittee on Territories, October 7 to 18, 1935-----	343
4. Statehood for Hawaii. Hearings before joint committee, Oct. 6 to 22, 1937-----	735
5. Statehood for Hawaii. Report from chairman joint committee, Jan. 5, 1938-----	100
6. Statehood for Hawaii. House subcommittee, Jan. 7 to 18, 1946-----	909
7. Statehood for Hawaii. Hearing, House Territories Committee, June 4, 1946-----	75
8. Statehood for Hawaii. Hearing of Committee on Lands, Mar. 7 to 19, 1947-----	310
9. House Report 194, Public Lands Committee, Mar. 27, 1947-----	40
10. Cordon Report on H.R. 49 and S. 114, Jan. 5 to 20, 1948, Hawaii-----	18
11. Statehood for Hawaii. Senate Interior Subcommittee, Apr. 15, 1948-----	497
12. Statehood for Hawaii. Report by Mr. Butler, June 21, 1948-----	15
13. Statehood for Hawaii. House subcommittee, Mar. 3 to 8, 1949-----	77
14. Report 254, Committee on Public Lands, Mar. 10, 1949-----	27
15. Statehood for Hawaii. Senate Interior, Insular Committee, May 1 to 5, 1950-----	550
16. Statehood for Hawaii. Senate Interior, Insular report, June 29, 1950-----	59
17. Supplemental Report, Senate Interior Committee, Aug. 28, 1950-----	29
18. Statehood for Hawaii. Senate Report 314, May 8, 1951-----	69
19. Statehood for Hawaii. House Insular hearings, Feb. 23 to 27, 1953-----	209
20. Statehood for Hawaii. House Interior report 109, Mar. 3, 1953-----	73
21. Statehood for Hawaii. Senate hearings, Insular Affairs, Mar. 6, 1953-----	58
22. Statehood for Hawaii. Senate hearings, Insular Affairs, June 29, 30, July 1, 2, 3, 6, 7, 9, 11, 1953, and Jan. 7 and 8, 1954-----	652
23. Statehood for Hawaii. Senate hearings, Insular Affairs, Jan. 13, 14, 15, 19, 1954-----	86
24. Statehood for Hawaii. Report 886 (to accompany S. 49), Jan. 27 (legislative day, Jan. 22), 1954-----	94
25. Hawaii-Alaska. Hearings. House Interior Committee, Jan. 25-Feb. 16, 1955-----	502
26. Hawaii-Alaska. Hearings. Senate Interior Committee, Feb. 21, 22, and 28, 1955-----	188
27. Report No. 88 on H.R. 2535, House Interior Committee, Mar. 3, 1955-----	126
28. Statehood for Hawaii. Senate Interior Committee, Apr. 1, 2, 1957-----	111
29. Statehood for Hawaii. House Interior Committee, Apr. 8, 9, and 16, 1957-----	157
30. Statehood for Hawaii. Senate Report 1164, Aug. 29, 1957, and minority views-----	72
31. Statehood for Hawaii. House Report 2700, Aug. 23, 1958-----	78
32. Hawaii Statehood. Special Subcommittee Report, House Interior Committee, Nov. 24 to Dec. 8, 1958-----	6
33. ¹ Statehood for Hawaii. House Interior Committee, Jan. 26, 27, and 28, and Feb. 4, 1959 (approx.)-----	96
34. Statehood for Hawaii. House Report 32, Feb. 11, 1959-----	70
Total pages printed testimony—Exhibits (approx.)-----	6, 600

¹ These hearings are being processed for printing at the present time and the exact page count is not known.

APPENDIX D

JOINT RESOLUTION NO. 55 (55th Cong.) To provide for annexing the Hawaiian Islands to the United States

Whereas the Government of the Republic of Hawaii, having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands, all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have the power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Senate joint resolution adopted July 7, 1898 (30 Stat. 750).

APPENDIX E

*Population of Hawaii by race, 1900-1950*¹

Race	1900 ²		1910 ³		1920 ³		1930 ³		1940 ³		1950 ³	
	Population	Percent	Population	Percent	Population	Percent	Population	Percent	Population	Percent	Population	Percent
1. Hawaiian.....	28,718	18.6	26,041	13.6	23,723	9.3	22,636	6.1	14,375	3.4	(4)	---
2. Part-Hawaiian.....	9,536	6.2	12,506	6.5	18,027	7.0	28,224	7.6	49,935	11.8	486,091	17.2
3. Caucasian.....	26,252	17.1	39,158	20.4	49,140	19.3	73,702	20.0	103,791	24.5	114,793	23.0
4. Chinese.....	25,762	16.7	21,674	11.3	23,507	9.2	27,179	7.4	28,774	6.8	32,376	6.5
5. Japanese.....	61,115	39.7	79,675	41.5	109,274	42.7	139,631	37.9	157,905	37.3	184,611	36.9
6. Korean.....	---	---	4,533	2.4	4,950	1.9	6,461	1.8	6,851	1.6	(5)	---
7. Filipino.....	---	---	2,361	1.2	21,031	8.2	63,052	17.1	52,569	12.4	61,071	12.2
8. Puerto Rican.....	---	---	4,890	2.5	5,602	2.2	6,671	1.8	8,296	2.0	(5)	---
9. Negro.....	---	---	695	.4	348	.1	563	.1	255	.1	(5)	---
10. Other.....	2,618	1.7	376	.2	310	.1	217	.1	579	.1	(5)	---
Total.....	154,001	100.0	191,909	100.0	255,912	100.0	368,336	100.0	423,330	100.0	499,794	100.0

¹ Statehood for Hawaii, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 81st Cong., 2d sess., on H.R. 49 (Washington, U.S. Government Printing Office, 1950), p. 91.

² U.S. census figures, except that the number of Hawaiians and part-Hawaiians has been corrected in accordance with the 1937 report of the Joint Committee on Hawaii, S. Doc. 151, 75th Cong., 3d sess., p. 38.

³ U.S. census.

⁴ This classification, in 1950, includes all persons who are part-Hawaiian as well as full-blooded Hawaiians.

⁵ Included in "Other" for 1950.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

TITLE 18, UNITED STATES CODE

§ 3771. PROCEDURE TO AND INCLUDING VERDICT.

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of court in the United States district courts, in the district courts for the district of the Canal Zone and the Virgin Islands, in the [Supreme Courts of Hawaii and Puerto Rico] *Supreme Court of Puerto Rico*, and in proceedings before United States commissioners. Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May, and until the expiration of ninety days after they have been thus reported. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

§ 3772. PROCEDURE AFTER VERDICT.

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of practice and procedure with respect to any or all proceedings after verdict, or finding of guilt by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt in the United States district courts, in the district courts for the District of the Canal Zone, and the Virgin Islands, in the [Supreme Courts of Hawaii and Puerto Rico] *Supreme Court of Puerto Rico*, in the United States courts of appeals, in the United States Court of Appeals for the District of Columbia, and in the Supreme Court of the United States. This section shall not give the Supreme Court power to abridge the right of the accused to apply for withdrawal of a plea of guilty, if such application be made within ten days after entry of such plea, and before sentence is imposed.

The right of appeal shall continue in those cases in which appeals are authorized by law, but the rules made as herein authorized may prescribe the times for and manner of taking appeals and applying for writs of certiorari and preparing records and bills of exceptions and the conditions on which supersedeas or bail may be allowed.

The Supreme Court may fix the dates when such rules shall take effect and the extent to which they shall apply to proceedings then pending, and after they become effective all laws in conflict therewith shall be of no further force.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

TITLE 28, UNITED STATES CODE

§ 91. HAWAII.

Hawaii constitutes one judicial district which includes the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, *Palmyra Island*, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island: *Provided*, That the inclusion of Canton and Enderbury Islands in such judicial district shall in no way be construed to be prejudicial to the claims of the United Kingdom to said Islands in accordance with the agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common.

Court shall be held at Honolulu.

§ 133. APPOINTMENT AND NUMBER OF DISTRICT JUDGES.

The President shall appoint, by and with the advice and consent of the Senate, district judges for the several judicial districts, as follows:

* * * * *

[Only citizens of the Territory of Hawaii who have resided therein for at least three years next preceding shall be eligible for appointment as district judges for the district of Hawaii.]

§ 134. TENURE AND RESIDENCE OF DISTRICT JUDGES.

(a) The district judges, except in [Hawaii and] Puerto Rico, shall hold office during good behavior. The district judges in [Hawaii and] Puerto Rico shall hold office for terms of [six and] eight years, [respectively,] and until their successors are appointed and qualified.

* * * * *

§ 373. JUDGES IN TERRITORIES AND POSSESSIONS.

Any judge of the [United States district courts for the Districts of Hawaii or Puerto Rico,] *United States District Court for the District of Puerto Rico*, the United States District Court for the District of the Canal Zone, the District Court of Guam or the District Court of the Virgin Islands [and any justice of the Supreme Court of the Territory of Hawaii] who resigns, retires, or fails of reappointment or is removed by the President of the United States upon the sole ground of mental or physical disability, after attaining the age of seventy years and after serving as judge of one or more of such courts, at least sixteen years, continuously or otherwise, shall continue to receive the salary which he received when he relinquished office.

* * * * *

§ 451. DEFINITIONS.

As used in this title:

The term "court of the United States" includes the Supreme Court of the United States, courts of appeals, district courts constituted by chapter 5 of this title, [including the district courts of the United States for the districts of Hawaii and Puerto Rico,] *including the United States District Court for the District of Puerto Rico*, the Court of Claims, the Court of Customs and Patent Appeals, the Customs Court and any court created by Act of Congress the judges of which are entitled to hold office during good behavior.

* * * * *

§ 501. APPOINTMENT OF UNITED STATES ATTORNEYS.

The President shall appoint, by and with the advice and consent of the Senate, a United States attorney for each judicial district.

[Only citizens of the Territory of Hawaii who have resided therein for at least three years next preceding shall be eligible for appointment as United States attorney for the district of Hawaii.]

§ 504. TENURE AND OATH OF OFFICE; REMOVAL.

(a) The United States attorney for each judicial district shall be appointed for a term of four years[, except in the district of Hawaii, where the term shall be six years]. Upon the expiration of his term a United States attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

* * * * *

§ 541. APPOINTMENT, RESIDENCE AND TENURE OF MARSHALS

* * * * *

(c) Each marshal shall be appointed for a term of four years[, except in the district of Hawaii where the term shall be six years]. Upon the expiration of his term a marshal shall continue to perform the duties of his office until his successor is appointed and qualifies, unless sooner removed by the President.

[(d) Only citizens of the Territory of Hawaii who have resided therein at least three years next preceding shall be eligible for appointment as United States marshal for the district of Hawaii.]

§ 1252. DIRECT APPEALS FROM DECISIONS INVALIDATING ACTS OF CONGRESS

Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and any court of record of [Hawaii and] Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies, or any officer or employee thereof, as such officer or employee, is a party.

* * * * *

§ 1293. FINAL DECISIONS OF PUERTO RICO AND HAWAII SUPREME COURTS

The courts of appeals for the **【First and Ninth Circuits】** *First Circuit* shall have jurisdiction of appeals from all final decisions of the **【Supreme Courts of Puerto Rico and Hawaii, respectively】** *Supreme Court of Puerto Rico*, in all cases involving the Constitution, laws or treaties of the United States or any authority exercised thereunder, in all habeas corpus proceedings, and in all other civil cases where the value in controversy exceeds \$5,000, exclusive of interest and costs.

§ 1294. CIRCUITS IN WHICH DECISIONS REVIEWABLE

Appeals from reviewable decisions of the district and territorial courts shall be taken to the courts of appeals as follows:

(1) From a district court of the United States to the court of appeals for the circuit embracing the district;

(2) From the United States District Court for the District of the Canal Zone, to the Court of Appeals for the Fifth Circuit;

(3) From the District Court of the Virgin Islands, to the Court of Appeals for the Third Circuit;

【(4) From the Supreme Court of Hawaii, to the Court of Appeals for the Ninth Circuit;】

【(5)】 (4) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit.

【(6)】 (5) From the District Court of Guam to the Court of Appeals for the Ninth Circuit.

ACT OF APRIL 30, 1900 (31 STAT. 159), AS AMENDED (48 U.S.C., SECS. 645, 536, 539)

【SEC. 86. The laws of the United States relating to removal of causes, appeals, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii.】

* * * * *

【SEC. 92. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, the basic compensation shall be at the rate of \$19,000 per annum; the secretary of the Territory, \$5,400. The governor shall receive annually from the United States, in addition to his salary, (1) the sum of \$1,000 for stationery, postage, and incidentals, and (2) his traveling expenses while absent from the capital on official business. The governor is authorized to employ a private secretary who shall receive an annual salary of \$3,000, to be paid by the United States.】

FEDERAL RESERVE ACT (38 STAT. 251), AS AMENDED BY THE ACT OF JULY 7, 1958, SEC. 19 (72 STAT. 339, 350)

SEC. 2. As soon as practicable, the Secretary of the Treasury, the Secretary of Agriculture and the Comptroller of the Currency, acting as "The Reserve Bank Organization Committee," shall designate not less than eight nor more than twelve cities to be known as Federal

Reserve cities, and shall divide the continental United States, excluding Alaska, into districts, each district to contain only one of such Federal Reserve cities. The determination of said organization committee shall not be subject to review except by the Board of Governors of the Federal Reserve System when organized: *Provided*, That the districts shall be apportioned with due regard to the convenience and customary course of business and shall not necessarily be coterminous with any State or States. The districts thus created may be readjusted and new districts may from time to time be created by the Board of Governors of the Federal Reserve System, not to exceed twelve in all. Such districts shall be known as Federal Reserve districts and may be designated by number. When the State of Alaska or *Hawaii* is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section.

ACT OF MAY 29, 1928 (45 STAT. 997), AS AMENDED (48 U.S.C. 634a)

【The following salaries shall be paid to the several judges hereinafter mentioned, namely:

【To the chief justice of the Supreme Court of the Territory of Hawaii, \$12,250 per year, and to each of the associate justices thereof the sum of \$11,900 per year.

【To each of the judges of the circuit courts of the Territory of Hawaii the sum of \$9,375.

【All of said salaries shall be paid in equal monthly installments.】

MERCHANT MARINE ACT, 1936 (49 STAT. 1999), AS AMENDED (46 U.S.C., SECS. 1156, 1175, 1204)

SEC. 506. Every owner of a vessel for which a construction-differential subsidy has been paid shall agree that the vessel shall be operated exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal parts of the United States, or on a voyage in foreign trade on which the vessel may stop at *the State of Hawaii*, or an island possession or island territory of the United States, and that if the vessel is operated in the domestic trade on any of the above-enumerated services, he will pay annually to the Secretary that proportion of one-twentieth of the construction-differential subsidy paid for such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year. * * *

* * * * *

SEC. 605. (a) No operating-differential subsidy shall be paid for the operation of any vessel on a voyage on which it engages in coastwise or intercoastal trade: *Provided, however,* That such subsidy may be paid on a round-the-world voyage or a round voyage from the west coast of the United States to a European port or ports or a round voyage from the Atlantic coast to the Orient which includes intercoastal ports of the United States or a voyage in foreign trade on which the vessel may stop at *the State of Hawaii, or* an island possession or island territory of the United States, and if the subsidized vessel earns any gross revenue on the carriage of mail, passengers, or cargo by reason of such coastal or intercoastal trade the subsidy payment for the entire voyage shall be reduced by an amount which bears the same ratio to the subsidy otherwise payable as such gross revenue bears to the gross revenue derived from the entire voyage. No vessel operating on the Great Lakes or on the inland waterways of the United States shall be considered for the purposes of this chapter to be operating in foreign trade.

* * * * *

SEC. 714. * * *

Such charter shall provide for operation of the vessel exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal ports of the United States, or on a voyage in foreign trade on which the vessel may stop at *the State of Hawaii, or* an island possession or island Territory of the United States, and if the vessel is operated in the domestic trade on any of the above-enumerated services the charterer will pay annually to the Secretary that proportion of one-twentieth of the difference between the domestic and foreign cost of such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year.

ACT OF JUNE 15, 1950 (64 STAT. 217; 48 U.S.C., SEC. 644a)

The jurisdiction of the United States District Court for the District of Hawaii is hereby extended to all civil and criminal cases arising on or within the Midway Island, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, *Palmyra Island*, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided,* That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement. All civil acts and deeds consummated and taking place on any of these islands or in

the waters adjacent thereto, and all offenses and crimes committed thereon, or on or in the waters adjacent thereto, shall be deemed to have been consummated or committed on the high seas on board a merchant vessel or other vessel belonging to the United States and shall be adjudicated and determined or adjudged and punished according to the laws of the United States relating to such civil acts or offenses on such ships or vessels on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

The laws of the United States relating to juries and jury trials shall be applicable to the trial of such cases before said district court.

IMMIGRATION AND NATIONALITY ACT (66 STAT. 163; 8 U.S.C. CH. 12)

SECTION 101. (a) As used in this Act—

(36) The term "State" includes (except as used in section 310(a) of title III) [Hawaii,] the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States.

SEC. 212.

(d)

(7) The provisions of subsection (a) of this section, except paragraphs (20), (21), and (26), shall be applicable to any alien who shall leave [Hawaii,] Guam, Puerto Rico, or the Virgin Islands of the United States, and who seeks to enter the continental United States or any other place under the jurisdiction of the United States [*Provided*, That persons who were admitted to Hawaii under the last sentence of section 8(a)(1) of the Act of March 24, 1934, as amended (48 Stat. 456), and aliens who were admitted to Hawaii as nationals of the United States shall not be excepted by this paragraph from the application of paragraphs (20) and (21) of subsection (a) of this section, unless they belong to a class declared to be nonquota immigrants under the provisions of section 101(a)(27) of this Act, other than subparagraph (C) thereof, or unless they were admitted to Hawaii with an immigration visa]. * * *

SEC. 310. (a) Exclusive jurisdiction to naturalize persons as citizens of the United States is hereby conferred upon the following specified courts: District courts of the United States now existing, or which may hereafter be established by Congress in any State, District Court of the United States [for the Territory of Hawaii, and] for the District of Columbia and for Puerto Rico, the District Court of the Virgin Islands of the United States, and the District Court of Guam; also all courts of record in any State or Territory now existing, or which may hereafter be created, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited. * * *

ACT OF SEPTEMBER 7, 1957 (71 STAT. 629)

SEC. 3 The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the [Territory] *State* of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or between Alaska and the United States) within the Territory of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this Act.

○

86TH CONGRESS
1ST SESSION

H. R. 4221

[Report No. 32]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 1959

Mr. O'BRIEN of New York introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

FEBRUARY 11, 1959

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To provide for the admission of the State of Hawaii into the Union.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, subject to the provisions of this Act, and upon issuance
4 of the proclamation required by section 7 (c) of this Act, the
5 State of Hawaii is hereby declared to be a State of the United
6 States of America, is declared admitted into the Union on
7 an equal footing with the other States in all respects what-
8 ever, and the constitution formed pursuant to the provisions
9 of the Act of the Territorial Legislature of Hawaii entitled
10 “An Act to provide for a constitutional convention, the
11 adoption of a State constitution, and the forwarding of the

1 same to the Congress of the United States, and appro-
2 priating money therefor", approved May 20, 1949 (Act
3 334, Session Laws of Hawaii, 1949), and adopted by a
4 vote of the people of Hawaii in the election held on Novem-
5 ber 7, 1950, is hereby found to be republican in form and
6 in conformity with the Constitution of the United States
7 and the principles of the Declaration of Independence, and
8 is hereby accepted, ratified, and confirmed.

9 SEC. 2. The State of Hawaii shall consist of all the
10 islands, together with their appurtenant reefs and territorial
11 waters, included in the Territory of Hawaii on the date of
12 enactment of this Act, except the atoll known as Palmyra
13 Island, together with its appurtenant reefs and territorial
14 waters, but said State shall not be deemed to include the Mid-
15 way Islands; Johnston Island, Sand Island (offshore from
16 Johnston Island), or Kingman Reef, together with their
17 appurtenant reefs and territorial waters.

18 SEC. 3. The constitution of the State of Hawaii shall
19 always be republican in form and shall not be repugnant to
20 the Constitution of the United States and the principles of
21 the Declaration of Independence.

22 SEC. 4. As a compact with the United States relating
23 to the management and disposition of the Hawaiian home
24 lands, the Hawaiian Homes Commission Act, 1920, as
25 amended, shall be adopted as a provision of the constitution

1 of said State as provided in section 7, subsection (b), of
2 this Act, subject to amendment or repeal only with the
3 consent of the United States, and in no other manner:
4 *Provided*, That (1) sections 202, 213, 219, 220, 222, 224,
5 and 225 and other provisions relating to administration, and
6 paragraph (2) of section 204, sections 206 and 212, and
7 other provisions relating to the powers and duties of officers
8 other than those charged with the administration of said
9 Act, may be amended in the constitution or in the manner
10 required for State legislation, but the Hawaiian home-loan
11 fund, the Hawaiian home-operating fund, and the Hawaiian
12 home-development fund shall not be reduced or impaired by
13 any such amendment, whether made in the constitution or
14 in the manner required for State legislation, and the en-
15 cumbrances authorized to be placed on Hawaiian home
16 lands by officers other than those charged with the admin-
17 istration of said Act shall not be increased except with the
18 consent of the United States; (2) that any amendment to
19 increase the benefits to lessees of Hawaiian home lands may
20 be made in the constitution or in the manner required for
21 State legislation, but the qualifications of lessees shall not
22 be changed except with the consent of the United States;
23 and (3) that all proceeds and income from the “available
24 lands”, as defined by said Act, shall be used only in carrying
25 out the provisions of said Act.

1 SEC. 5. (a) Except as provided in subsection (c) of this
2 section, the State of Hawaii and its political subdivisions, as
3 the case may be, shall succeed to the title of the Territory of
4 Hawaii and its subdivisions in those lands and other proper-
5 ties in which the Territory and its subdivisions now hold title.

6 (b) Except as provided in subsections (c) and (d) of
7 this section, the United States grants to the State of Hawaii,
8 effective upon its admission into the Union, the United
9 States' title to all the public lands and other public property
10 within the boundaries of the State of Hawaii title to which
11 is held by the United States immediately prior to its admis-
12 sion into the Union. The grant hereby made shall be in lieu
13 of any and all grants provided for new States by provisions of
14 law other than this Act, and such grants shall not extend
15 to the State of Hawaii.

16 (c) Any lands and other properties that, on the date
17 Hawaii is admitted into the Union, are set aside pursuant
18 to law for the use of the United States under any (1) Act
19 of Congress, (2) Executive order, (3) proclamation of the
20 President, or (4) proclamation of the Governor of Hawaii
21 shall remain the property of the United States subject only
22 to the limitations, if any, imposed under (1), (2), (3),
23 or (4), as the case may be.

24 (d) Any public lands or other public property that is
25 conveyed to the State of Hawaii by subsection (b) of this

1 section but that, immediately prior to the admission of said
2 State into the Union, is controlled by the United States
3 pursuant to permit, license, or permission, written or verbal,
4 from the Territory of Hawaii or any department thereof
5 may, at any time during the five years following the admis-
6 sion of Hawaii into the Union, be set aside by Act of Con-
7 gress or by Executive order of the President, made pursuant
8 to law, for the use of the United States, and the lands or
9 property so set aside shall, subject only to valid rights then
10 existing, be the property of the United States.

11 (e) Within five years from the date Hawaii is admitted
12 into the Union, each Federal agency having control over
13 any land or property that is retained by the United States
14 pursuant to subsections (c) and (d) of this section shall
15 report to the President the facts regarding its continued need
16 for such land or property, and if the President determines
17 that the land or property is no longer needed by the United
18 States it shall be conveyed to the State of Hawaii.

19 (f) The lands granted to the State of Hawaii by subsec-
20 tion (b) of this section and public lands retained by the
21 United States under subsections (c) and (d) and later con-
22 veyed to the State under subsection (e), together with the
23 proceeds from the sale or other disposition of any such lands
24 and the income therefrom, shall be held by said State as a pub-
25 lic trust for the support of the public schools and other public

1 educational institutions; for the betterment of the conditions of
2 native Hawaiians, as defined in the Hawaiian Homes Com-
3 mission Act, 1920, as amended; for the development of farm
4 and home ownership on as widespread a basis as possible;
5 for the making of public improvements; and for the provision
6 of lands for public use. Such lands, proceeds, and income
7 shall be managed and disposed of for one or more of the
8 foregoing purposes in such manner as the constitution and
9 laws of said State may provide, and their use for any other
10 object shall constitute a breach of trust for which suit may be
11 brought by the United States. The schools and other educa-
12 tional institutions supported, in whole or in part, out of such
13 public trust shall forever remain under the exclusive control
14 of said State, and no part of the proceeds or income from
15 the lands granted under the preceding subsection shall be
16 used for the support of any sectarian or denominational
17 school, college, or university.

18 (g) As used in this Act, the term “lands and other
19 properties” includes public lands and other public property,
20 and the term “public lands and other public property” means,
21 and is limited to, the lands and properties that were ceded
22 to the United States by the Republic of Hawaii under the
23 joint resolution of annexation approved July 7, 1898 (30
24 Stat. 750), or that have been acquired in exchange for lands
25 or properties so ceded.

1 (h) All laws of the United States reserving to the United
2 States the free use or enjoyment of property which vests in or
3 is conveyed to the State of Hawaii or its political subdivisions
4 pursuant to subsection (a), (b), or (c) of this section or
5 reserving the right to alter, amend, or repeal laws relating
6 thereto shall cease to be effective upon the admission of the
7 State of Hawaii into the Union.

8 (i) The Submerged Lands Act of 1953 (Public Law
9 31, Eighty-third Congress, first session (67 Stat. 29))
10 and the Outer Continental Shelf Lands Act of 1953 (Public
11 Law 212, Eighty-third Congress, first session (67 Stat.
12 462)) shall be applicable to the State of Hawaii, and the
13 said State shall have the same rights as do existing States
14 thereunder.

15 SEC. 6. As soon as possible after the enactment of this
16 Act, it shall be the duty of the President of the United States
17 to certify such fact to the Governor of the Territory of Ha-
18 waii. Thereupon the Governor of the Territory shall, within
19 thirty days after receipt of the official notification of such ap-
20 proval, issue his proclamation for the elections, as herein-
21 after provided, for officers of all State elective offices pro-
22 vided for by the constitution of the proposed State of Hawaii,
23 and for two Senators and one Representative in Congress.
24 In the first election of Senators from said State, the two sen-
25 atorial offices shall be separately identified and designated,

1 and no person may be a candidate for both offices. No iden-
2 tification or designation of either of the two senatorial offices,
3 however, shall refer to, or be taken to refer to, the term of
4 that office, nor shall any such identification or designation
5 in any way impair the privilege of the Senate to determine
6 the class to which each of the Senators elected shall be
7 assigned.

8 SEC. 7. (a) The proclamation of the Governor of
9 Hawaii required by section 6 shall provide for the holding
10 of a primary election and a general election, and at such
11 elections the officers required to be elected as provided in
12 section 6 shall be chosen by the people. Such elections shall
13 be held, and the qualifications of voters thereat shall be, as
14 prescribed by the constitution of the proposed State of
15 Hawaii for the election of members of the proposed State
16 legislature. The returns thereof shall be made and certified
17 in such manner as the constitution of the proposed State of
18 Hawaii may prescribe. The Governor of Hawaii shall
19 certify the results of said elections, as so ascertained, to the
20 President of the United States.

21 (b) At an election designated by proclamation of the
22 Governor of Hawaii, which may either be the primary or
23 the general election held pursuant to subsection (a) of this
24 section, or a Territorial general election, or a special elec-
25 tion, there shall be submitted to the electors qualified to vote

1 in said election, for adoption or rejection, the following
2 propositions:

3 “(1) Shall Hawaii immediately be admitted into the
4 Union as a State?

5 “(2) The boundaries of the State of Hawaii shall
6 be as prescribed in the Act of Congress approved
7 -----, and all claims of this
8 (Date of approval of this Act)
9 State to any areas of land or sea outside the boundaries so
10 prescribed are hereby irrevocably relinquished to the United
11 States.

12 “(3) All provisions of the Act of Congress approved
13 ----- reserving rights or powers
14 (Date of approval of this Act)
15 to the United States, as well as those prescribing the terms
16 or conditions of the grants or lands or other property therein
17 made to the State of Hawaii, are consented to fully by said
18 State and its people.”

19 In the event the foregoing propositions are adopted
20 at said election by a majority of the legal votes cast on
21 said submission, the proposed constitution of the proposed
22 State of Hawaii, ratified by the people at the election held
23 on November 7, 1950, shall be deemed amended as follows:
24 section 1 of article XI of said proposed constitution shall
be deemed amended so as to contain the language of section
2 of this Act in lieu of any other language; section 8 of

1 article XIV shall be deemed amended so as to contain
2 the language of the third proposition above stated in lieu
3 of any other language; and section 10 of article XVI shall
4 be deemed amended by inserting the words “at which officers
5 for all State elective offices provided for by this constitution
6 and two Senators and one Representative in Congress shall
7 be nominated and elected” in lieu of the words “at which
8 officers for all State elective offices provided for by this con-
9 stitution shall be nominated and elected; but the officers so
10 to be elected shall in any event include two Senators and two
11 Representatives to the Congress, and unless and until other-
12 wise required by law, said Representatives shall be elected
13 at large”.

14 In the event the foregoing propositions are not adopted
15 at said election by a majority of the legal votes cast on
16 said submission, the provisions of this Act shall cease to be
17 effective.

18 The Governor of Hawaii is hereby authorized and di-
19 rected to take such action as may be necessary or appropriate
20 to insure the submission of said propositions to the people.
21 The return of the votes cast on said propositions shall be
22 made by the election officers directly to the secretary of
23 Hawaii, who shall certify the results of the submission to the
24 Governor. The Governor shall certify the results of said

1 submission, as so ascertained, to the President of the United
2 States.

3 (c) If the President shall find that the propositions set
4 forth in the preceding subsection have been duly adopted
5 by the people of Hawaii, the President, upon certification of
6 the returns of the election of the officers required to be
7 elected as provided in section 6 of this Act, shall thereupon
8 issue his proclamation announcing the results of said election
9 as so ascertained. Upon the issuance of said proclamation
10 by the President, the Territory of Hawaii shall be deemed
11 admitted into the Union as provided in section 1 of this Act.

12 Until the said Territory is so admitted into the Union,
13 the persons holding legislative, executive, and judicial office
14 in, under, or by authority of the government of said Terri-
15 tory, and the Delegate in Congress thereof, shall continue
16 to discharge the duties of their respective offices. Upon the
17 issuance of said proclamation by the President of the United
18 States and the admission of the Territory of Hawaii into the
19 Union, the officers elected at said election and qualified
20 under the provisions of the constitution and laws of said
21 State, shall proceed to exercise all the functions pertaining
22 to their offices in, under, or by authority of the government
23 of said State and officers not required to be elected at said
24 initial election shall be selected or continued in office as

1 provided by the constitution and laws of said State. The
2 Governor of said State shall certify the election of the Sena-
3 tors and Representative in the manner required by law, and
4 the said Senators and Representative shall be entitled to be
5 admitted to seats in Congress and to all the rights and privi-
6 leges of Senators and Representatives of other States in the
7 Congress of the United States.

8 SEC. 8. The State of Hawaii upon its admission into the
9 Union shall be entitled to one Representative until the taking
10 effect of the next reapportionment, and such Representative
11 shall be in addition to the membership of the House of
12 Representatives as now prescribed by law: *Provided*, That
13 such temporary increase in the membership shall not operate
14 to either increase or decrease the permanent membership of
15 the House of Representatives as prescribed in the Act of
16 August 8, 1911 (37 Stat. 13), nor shall such temporary
17 increase affect the basis of apportionment established by the
18 Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec.
19 2a), for the Eighty-third Congress and each Congress there-
20 after.

21 SEC. 9. Effective upon the admission of the State of
22 Hawaii into the Union—

23 (a) the United States District Court for the District
24 of Hawaii established by and existing under title 28 of
25 the United States Code shall thenceforth be a court of

the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however,* That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) the first sentence of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico,".

1 SEC. 11. Effective upon the admission of the State of
2 Hawaii into the Union—

3 (a) the last paragraph of section 501 of title 28,
4 United States Code, is repealed;

5 (b) the first sentence of subsection (a) of section
6 504 of title 28, United States Code, is amended by
7 striking out at the end thereof the words “, except in the
8 district of Hawaii, where the term shall be six years”;

9 (c) the first sentence of subsection (c) of section
10 541 of title 28, United States Code, is amended by
11 striking out at the end thereof the words “, except in
12 the district of Hawaii where the term shall be six years”;
13 and

14 (d) subsection (d) of section 541 of title 28,
15 United States Code, is repealed.

16 SEC. 12. No writ, action, indictment, cause, or pro-
17 ceeding pending in any court of the Territory of Hawaii or
18 in the United States District Court for the District of Hawaii
19 shall abate by reason of the admission of said State into the
20 Union, but the same shall be transferred to and proceeded
21 with in such appropriate State courts as shall be established
22 under the constitution of said State or shall continue in the
23 United States District Court for the District of Hawaii, as
24 the nature of the case may require. And no indictment,
25 action, or proceeding shall abate by reason of any change

1 in the courts, but shall be proceeded with in the State or
2 United States courts according to the laws thereof, respec-
3 tively. And the appropriate State courts shall be the suc-
4 cessors of the courts of the Territory as to all cases arising
5 within the limits embraced within the jurisdiction of such
6 courts, respectively, with full power to proceed with the
7 same and award mesne or final process therein, and all the
8 files, records, indictments, and proceedings relating to any
9 such cases shall be transferred to such appropriate State
10 courts and the same shall be proceeded with therein in due
11 course of law.

12 All civil causes of action and all criminal offenses which
13 shall have arisen or been committed prior to the admission
14 of said State, but as to which no suit, action, or prosecution
15 shall be pending at the date of such admission, shall be
16 subject to prosecution in the appropriate State courts or in
17 the United States District Court for the District of Hawaii
18 in like manner, to the same extent, and with like right of
19 appellate review, as if said State had been created and said
20 State courts had been established prior to the accrual of
21 such causes of action or the commission of such offenses.
22 The admission of said State shall effect no change in the
23 substantive or criminal law governing such causes of action
24 and criminal offenses which shall have arisen or been com-
25 mitted; and such of said criminal offenses as shall have been

1 committed against the laws of the Territory shall be tried
2 and punished by the appropriate courts of said State, and
3 such as shall have been committed against the laws of the
4 United States shall be tried and punished in the United
5 States District Court for the District of Hawaii.

6 SEC. 13. Parties shall have the same rights of appeal
7 from and appellate review of final decisions of the United
8 States District Court for the District of Hawaii or the
9 Supreme Court of the Territory of Hawaii in any case
10 finally decided prior to admission of said State into the
11 Union, whether or not an appeal therefrom shall have been
12 perfected prior to such admission, and the United States
13 Court of Appeals for the Ninth Circuit and the Supreme
14 Court of the United States shall have the same jurisdiction
15 therein, as by law provided prior to admission of said State
16 into the Union, and any mandate issued subsequent to the
17 admission of said State shall be to the United States District
18 Court for the District of Hawaii or a court of the State, as
19 may be appropriate. Parties shall have the same rights of
20 appeal from and appellate review of all orders, judgments,
21 and decrees of the United States District Court for the Dis-
22 trict of Hawaii and of the Supreme Court of the State of
23 Hawaii as successor to the Supreme Court of the Territory
24 of Hawaii in any case pending at the time of admission of
25 said State into the Union, and the United States Court of

1 Appeals for the Ninth Circuit and the Supreme Court of the
2 United States shall have the same jurisdiction therein, as by
3 law provided in any case arising subsequent to the admission
4 of said State into the Union.

5 SEC. 14. Effective upon the admission of the State of
6 Hawaii into the Union—

7 (a) title 28, United States Code, section 1252, is
8 amended by striking out “Hawaii and” from the clause
9 relating to courts of record;

10 (b) title 28, United States Code, section 1293, is
11 amended by striking out the words “First and Ninth
12 Circuits” and by inserting in lieu thereof “First Circuit”,
13 and by striking out the words, “Supreme Courts of
14 Puerto Rico and Hawaii, respectively” and inserting in
15 lieu thereof “Supreme Court of Puerto Rico”;

16 (c) title 28, United States Code, section 1294, as
17 amended, is further amended by striking out paragraph
18 (4) thereof and by renumbering paragraphs (5) and
19 (6) accordingly;

20 (d) the first paragraph of section 373 of title 28,
21 United States Code, is amended by striking out the
22 words “United States district courts for the Districts of
23 Hawaii or Puerto Rico,” and inserting in lieu thereof
24 the words “United States District Court for the District
25 of Puerto Rico,”; and by striking out the words “and

1 any justice of the Supreme Court of the Territory of
2 Hawaii”: *Provided*, That the amendments made by this
3 subsection shall not affect the rights of any judge or
4 justice who may have retired before the effective date
5 of this subsection: *And provided further*, That service as
6 a judge of the district court for the Territory of Hawaii
7 or as a judge of the United States District Court for the
8 District of Hawaii or as a justice of the Supreme Court
9 of the Territory of Hawaii or as a judge of the circuit
10 courts of the Territory of Hawaii shall be included in
11 computing under section 371, 372, or 373 of title 28,
12 United States Code, the aggregate years of judicial
13 service of any person who is in office as a district judge
14 for the district of Hawaii on the date of enactment of
15 this Act;

16 (e) section 92 of the Act of April 30, 1900 (ch.
17 339, 31 Stat. 159), as amended, and the Act of May
18 29, 1928 (ch. 904, 45 Stat. 997), as amended, are
19 repealed;

20 (f) section 86 of the Act approved April 30, 1900
21 (ch. 339, 31 Stat. 158), as amended, is repealed;

22 (g) section 3771 of title 18, United States Code, as
23 heretofore amended, is further amended by striking out
24 from the first paragraph of such section the words
25 “Supreme Courts of Hawaii and Puerto Rico” and in-

1 serting in lieu thereof the words "Supreme Court of
2 Puerto Rico";

3 (h) section 3772 of title 18, United States Code, as
4 heretofore amended, is further amended by striking out
5 from the first paragraph of such section the words "Su-
6 preme Courts of Hawaii and Puerto Rico" and inserting
7 in lieu thereof the words "Supreme Court of Puerto
8 Rico";

9 (i) section 91 of title 28, United States Code, as
10 heretofore amended, is further amended by inserting
11 after "Kure Island" and before "Baker Island" the
12 words "Palmyra Island,"; and

13 (j) the Act of June 15, 1950 (64 Stat. 217; 48
14 U.S.C., sec. 644a), is amended by inserting after "Kure
15 Island" and before "Baker Island" the words "Palmyra
16 Island,".

17 SEC. 15. All Territorial laws in force in the Territory
18 of Hawaii at the time of its admission into the Union shall
19 continue in force in the State of Hawaii, except as modified
20 or changed by this Act or by the constitution of the State,
21 and shall be subject to repeal or amendment by the Legis-
22 lature of the State of Hawaii, except as provided in section 4
23 of this Act with respect to the Hawaiian Homes Commis-
24 sion Act, 1920, as amended; and the laws of the United
25 States shall have the same force and effect within the said

1 State as elsewhere within the United States. As used in
2 this section, the term "Territorial laws" includes (in addi-
3 tion to laws enacted by the Territorial Legislature of
4 Hawaii) all laws or parts thereof enacted by the Congress
5 the validity of which is dependent solely upon the authority
6 of the Congress to provide for the government of Hawaii
7 prior to its admission into the Union, and the term "laws
8 of the United States" includes all laws or parts thereof
9 enacted by the Congress that (1) apply to or within Hawaii
10 at the time of its admission into the Union, (2) are not
11 "Territorial laws" as defined in this paragraph, and (3)
12 are not in conflict with any other provision of this Act.

13 SEC. 16. (a) Notwithstanding the admission of the
14 State of Hawaii into the Union, the United States shall
15 continue to have sole and exclusive jurisdiction over the
16 area which may then or thereafter be included in Hawaii
17 National Park, saving, however, to the State of Hawaii
18 the same rights as are reserved to the Territory of Hawaii
19 by section 1 of the Act of April 19, 1930 (46 Stat. 227),
20 and saving, further, to persons then or thereafter residing
21 within such area the right to vote at all elections held within
22 the political subdivisions where they respectively reside.
23 Upon the admission of said State all references to the Terri-
24 tory of Hawaii in said Act or in other laws relating to
25 Hawaii National Park shall be deemed to refer to the State

1 of Hawaii. Nothing contained in this Act shall be construed
2 to affect the ownership and control by the United States of
3 any lands or other property within Hawaii National Park
4 which may now belong to, or which may hereafter be
5 acquired by, the United States.

6 (b) Notwithstanding the admission of the State of
7 Hawaii into the Union, authority is reserved in the United
8 States, subject to the proviso hereinafter set forth, for the
9 exercise by the Congress of the United States of the power
10 of exclusive legislation, as provided by article I, section 8,
11 clause 17, of the Constitution of the United States, in all
12 cases whatsoever over such tracts or parcels of land as,
13 immediately prior to the admission of said State, are con-
14 trolled or owned by the United States and held for defense
15 or Coast Guard purposes, whether such lands were acquired
16 by cession and transfer to the United States by the Republic
17 of Hawaii and set aside by Act of Congress or by Executive
18 order or proclamation of the President or the Governor of
19 Hawaii for the use of the United States or were acquired by
20 the United States by purchase, condemnation, donation,
21 exchange, or otherwise: *Provided*, (i) That the State of
22 Hawaii shall always have the right to serve civil or criminal
23 process within the said tracts or parcels of land in suits or
24 prosecutions for or on account of rights acquired, obligations
25 incurred, or crimes committed within the said State but out-

1 side of the said tracts or parcels of land; (ii) that the reserva-
2 tion of authority in the United States for the exercise by the
3 Congress of the United States of the power of exclusive
4 legislation over the lands aforesaid shall not operate to pre-
5 vent such lands from being a part of the State of Hawaii or
6 to prevent the said State from exercising over or upon such
7 lands, concurrently with the United States, any jurisdiction
8 whatsoever which it would have in the absence of such
9 reservation of authority and which is consistent with the
10 laws hereafter enacted by the Congress pursuant to such
11 reservation of authority; and (iii) that such power of ex-
12 clusive legislation shall vest and remain in the United States
13 only so long as the particular tract or parcel of land involved
14 is controlled or owned by the United States and used for
15 Defense or Coast Guard purposes: *Provided, however,* That
16 the United States shall continue to have sole and exclusive
17 jurisdiction over such military installations as have been
18 heretofore or hereafter determined to be critical areas as
19 delineated by the President of the United States and/or
20 the Secretary of Defense.

21 SEC. 17. The next to last sentence of the first paragraph
22 of section 2 of the Federal Reserve Act (38 Stat. 251), as
23 amended by section 19 of the Act of July 7, 1958 (72 Stat.
24 339, 350), is amended by inserting after the word "Alaska"
25 the words "or Hawaii".

1 SEC. 18. (a) Nothing contained in this Act shall be con-
2 strued as depriving the Federal Maritime Board of the ex-
3 clusive jurisdiction heretofore conferred on it over common
4 carriers engaged in transportation by water between any
5 port in the State of Hawaii and other ports in the United
6 States or possessions or as conferring on the Interstate Com-
7 merce Commission jurisdiction over transportation by water
8 between any such ports.

9 (b) Effective on the admission of the State of Hawaii
10 into the Union—

11 (1) the first sentence of section 506 of the Merchant
12 Marine Act, 1936, as amended (46 U.S.C. 1156),
13 is amended by inserting before the words “island posses-
14 sion or island territory” the words “the State of Hawaii,
15 or”;

16 (2) section 605 (a) of the Merchant Marine Act,
17 1936, as amended (46 U.S.C. 1175), is amended by
18 inserting before the words “island possession or island
19 territory” the words “the State of Hawaii, or”; and

20 (3) the second paragraph of section 714 of the
21 Merchant Marine Act, 1936, as amended (46 U.S.C.
22 1204), is amended by inserting before the words “island
23 possession or island territory” the words “the State of
24 Hawaii, or”.

25 SEC. 19. Nothing contained in this Act shall operate to

1 confer United States nationality, or to terminate nationality
2 heretofore lawfully acquired, or to restore nationality here-
3 tofore lost under any law of the United States or under any
4 treaty to which the United States is or was a party.

5 SEC. 20. (a) Sections 101 (a) (36) of the Immigration
6 and Nationality Act (66 Stat. 170, 8 U.S.C. 1101 (a) (36))
7 is amended by deleting the word "Hawaii,".

8 (b) Section 212 (d) (7) of the Immigration and Na-
9 tionality Act (66 Stat. 188, 8 U.S.C. 1182 (d) (7)) is
10 amended by deleting from the first sentence thereof the
11 word "Hawaii," and by deleting the proviso to said first
12 sentence.

13 (c) The first sentence of section 310 (a) of the Immi-
14 gration and Nationality Act (66 Stat. 239, 8 U.S.C.
15 1421 (a)) is amended by deleting the words "for the Ter-
16 ritory of Hawaii, and".

17 (d) Nothing contained in this Act shall be held to re-
18 peal, amend, or modify the provisions of section 305 of the
19 Immigration and Nationality Act (66 Stat. 237, 8 U.S.C.
20 1405) .

21 SEC. 21. Effective upon the admission of the State of
22 Hawaii into the Union, section 3, subsection (b), of the
23 Act of September 7, 1957 (71 Stat. 629), is amended by
24 substituting the words "State of Hawaii" for the words
25 "Territory of Hawaii."

1 SEC. 22. If any provision of this Act, or any section,
2 subsection, sentence, clause, phrase, or individual word, or
3 the application thereof in any circumstance is held invalid,
4 the validity of the remainder of the Act and of the applica-
5 tion of any such provision, section, subsection, sentence,
6 clause, phrase, or individual word in other circumstances
7 shall not be affected thereby.

8 SEC. 23. All Acts or parts of Acts in conflict with
9 the provisions of this Act, whether passed by the legislature
10 of said Territory or by Congress, are hereby repealed.

86TH CONGRESS
1ST SESSION

H. R. 4221

[Report No. 32]

A BILL

To provide for the admission of the State of
Hawaii into the Union.

By Mr. O'BRIEN of New York

FEBRUARY 5, 1959

Referred to the Committee on Interior and Insular
Affairs

FEBRUARY 11, 1959

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of February 26, 1959
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HIGHLIGHTS: (See page 7.)

SENATE

1. SOIL BANK. Sen. Williams, Del., criticized soil bank payments to large producers, inserted a table showing price support loans and soil bank payments to several large producers during 1957, and stated "Certainly the recommendation of the Secretary of Agriculture that he be given greater discretionary authority to lower these support prices to a more realistic level and to confine Government support to the bonafide family type farm is a step in the right direction." p. 2698
2. CROP INSURANCE. Received from this Department a proposed bill to amend the Federal Crop Insurance Act so as to authorize this Department to increase crop insurance premiums to partially or wholly cover administrative expenses; to Agriculture and Forestry Committee. p. 2660

3. STATEHOOD. A subcommittee of the Interior and Insular Affairs Committee ordered reported S. 50, to provide statehood for Hawaii. p. D114
4. BUDGET. Sen. Bridges inserted a newspaper editorial criticizing the size of the budget, including items for agriculture. pp. 2718-9
5. SCHOOL LUNCH. Sen. Wiley urged expansion of the school lunch and special milk programs, and inserted a letter supporting an expansion of these programs. p. 2706
6. WILDLIFE CONSERVATION. Sen. Mundt commended the programs of this and other Departments which are aiding in the development of fish and wildlife conservation. pp. 2700-01
7. FARM PROGRAM. Sen. Ervin inserted a recent speech of Sen. Ellender at N. C. State College discussing the current farm situation, and in which he stated that he believed "that a real and lasting solution to the farm problem can be found only in a new, bold, and perhaps revolutionary approach." pp. 2695-7
8. NATIONAL FLOWER. Several Senators discussed the relative merits of the corn tassel, rose, and carnation as our national flower. pp. 2693-5
9. WATERSHEDS. Received from the Budget Bureau plans for works of improvement on Walnut Creek, Kans. and Nebr.; Gray's Creek, Miss.; upper Wabash, O.; and Salt Creek, Okla.; to Agriculture and Forestry Committee. p. 2660
10. REPORTS. Received from Commerce a report on export control. p. 2660
Received from Treasury a report on the state of finances for fiscal year 1958. p. 2660
Received from GAO an audit report on burley and flue-cured tobacco price support and agricultural adjustment programs in N. C. and Tenn., and review of warehouse tobacco sales in Ky., by CSS, 1956-7. p. 2661
Received the annual report of the Federal Trade Commission. p. 2661
Received from CSC a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18. p. 2661
11. FORESTRY. Received from Interior a proposed bill "To authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision"; to Interior and Insular Affairs Committee. p. 2661
Received a Mo. Legislature resolution favoring the establishment of "a national recreational area on the Current and Eleven Point Rivers as proposed by the National Park Service and the U. S. Forest Service." p. 2666
The Interior and Insular Affairs Committee reported without amendment S. 82, to provide for the employment of staff members by the National Outdoor Recreation Resources Commission (S. Rept. 57). p. 2669
12. WATER RESOURCES. Received a N. Dak. Legislature resolution favoring construction of the proposed Pembilier Dam and Reservoir project. p. 2667
Received a Utah Legislature resolution urging enactment of legislation to "safeguard and preserve established State and individual rights to the use of water within the separate States." p. 2668
13. RESEARCH. Received a Colo. Legislature resolution urging the establishment by the Federal Government of a Great Plains research laboratory. p. 2664

March 3, 1959

Part II of the report discusses an Agricultural Attache meeting in Paris to consider future market prospects for U. S. agricultural commodities in Europe.

Part III of the report discusses U. S. cotton exports and favors competitive sales in the world markets.

SENATE

7. STATEHOOD. The Interior and Insular Affairs Committee ordered reported with amendments S. 50, to provide for the admission of Hawaii into the Union. D125

8. COMMITTEE APPOINTMENTS. The Post Office and Civil Service Committee announced the appointment of Subcommittees as follows: (1) Post Office -- Senators Monroney, chairman, Jordan, and Carlson; (2) Civil Service -- Senators Yarborough, chairman, Clark, and Morton; (3) Retirement -- Senators Clark, chairman, Jordan and Langer; and (4) Insurance -- Senators Neuberger, chairman, Yarborough, and Morton.

9. NOMINATIONS. The Post Office and Civil Service Committee ordered reported the nomination of Roger Jones to be a Civil Service Commissioner. p. D126

ITEMS IN APPENDIX

10. INFLATION; ECONOMIC GROWTH. Rep. Multer commended and inserted an article by Dr. Leon Keyserling, "Is Inflation the Problem?" urging more emphasis on "fundamental" goals such as high productivity, meeting national needs, and economic justice, and less emphasis on inflation as a danger. pp. A1655-7

Rep. Curtis inserted an editorial commending the statement of the President's Chairman of Economic Advisers' warning that creeping inflation is not conducive to savings and growth. p. A1665

11. AREA REDEVELOPMENT. Rep. Oliver commended and inserted the testimony of a Me. textile union representative urging Congressional support of the Douglas area redevelopment bill, and highlighting the unemployment problems of his region. pp. A1661-2

Rep. Rains inserted the testimony of the Director of the Ala. League of Municipalities urging support of the Douglas area redevelopment bill. pp. A1673-4

Rep. Lane inserted the remarks of the Mayor of Lawrence, Mass., reviewing his town's distressed conditions and supporting the Douglas bill. pp. A1677-8

12. BUDGET. Rep. Teague, Calif., inserted a letter criticizing Federal deficits as a cause of inflation. pp. A1665-6

Rep. Evins inserted his newsletter stating that the President's balanced budget is contingent on certain approvals of Congress, and that it emphasizes more spending in non-investment areas and less in public works, resources, and loans, all of which have a return to the nation. p. A1672

Rep. Jensen inserted a Chamber of Commerce article attacking the "liberals" viewpoint on the role of the Federal Government on many issues. pp. A1682-5

Rep. Byrnes inserted a letter supporting economy in Government. pp. A1687-8

13. ELECTRIFICATION. Rep. Evins inserted a statement of Herbert Vogel, Chairman of the Board, TVA, explaining TVA's reasons for accepting a foreign manufacturer's bid on a turbogenerator and stating that \$6 million was saved. pp. A1669-70

14. FARM PROGRAM. Rep. Ullman inserted a statement explaining that a good portion of a CCC loan was paid back by the wheat and barley grower who Sen. Williams referred to as a substantial benefactor of price subsidies, and criticized the USDA for not listing those payments as a deduction. p. A1674

Rep. Johnson inserted an article by Joseph Alsop stating that since 1953 farm surpluses and USDA appropriations have increased substantially, and commending the Talmadge, Humphrey, Symington, and Proxmire Plan approach of direct payments. p. A1686

15. RURAL DEVELOPMENT. Rep. Trimble inserted a statement reviewing the problems and several work plans concerning the full utilization an Ark. county's youth. pp. A1689-90

BILLS INTRODUCED

16. PERSONNEL. H. R. 5178, by Rep. Morrison, to provide for health and medical services for civilian employees in Government service overseas and their dependents; to Post Office and Civil Service Committee.
H. R. 5182, by Rep. Baker, to amend the Federal Employees' Compensation Act to provide compensation for the anatomical loss, or loss of use, of a procreative organ as a result of a personal injury sustained by a Federal employee while in the performance of his duty; to Education and Labor Committee.
H. R. 5192, by Rep. Dulski, to amend section 703(b) of the Classification Act of 1949, as amended, relating to longevity step increases; to Post Office and Civil Service Committee.
H. R. 5196, by Rep. Granahan, to increase the maximum rates of per diem allowance for employees of the Government travelling on official business; to Government Operations Committee.
H. R. 5198, by Rep. Gubser, to establish a system for the classification and compensation of scientists and professional positions in the Federal Government; to Post Office and Civil Service Committee.
17. FOREIGN TRADE. H. R. 5215, by Rep. Smith, Kan., and H. R. 5221, by Rep. Withrow, to regulate the foreign commerce of the United States by amending section 350 of the Tariff Act of 1930, as amended; to Ways and Means Committee.
18. LABOR STANDARDS. H. R. 5171, by Rep. Diggs, to amend the Fair Labor Standards Act of 1938 to increase the minimum hourly wage from \$1 to \$1.25; to Education and Labor Committee.
19. DEPRESSED AREAS. H. R. 5173, by Rep. Diggs, to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to Banking and Currency Committee.
20. TRANSPORTATION. H. R. 5172, by Rep. Huddleston, "to amend the Interstate Commerce Act, as amended"; to Interstate and Foreign Commerce Committee.
21. TURKEYS. H. R. 5180, by Rep. Abernethy, to enable producers to provide a supply of turkeys adequate to meet the needs of consumers, to maintain orderly marketing conditions, and to promote and expand the consumption of turkeys and turkey products; to Agriculture Committee.
22. MEAT PRODUCTS; MONOPOLIES. H. R. 5184, by Rep. Bentley, to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts or practices and other unlawful restraints in commerce by certain persons engaged in commerce in meat and meat products; to Interstate and Foreign Commerce Committee.
23. POSTAL RATES. H. R. 5212, by Rep. Rees, Kan., to revise the minimum charge on pieces of mail of odd sizes and shapes; to Post Office and Civil Service Committee.

March 5, 1959

13. LOBBYING. Received lobbying registration reports for the third and fourth quarters, 1958. pp. 3088-3114
14. INTERGOVERNMENTAL RELATIONS. A subcommittee of the Judiciary Committee ordered reported to the full committee H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. p. D135
15. COMMITTEE APPOINTMENTS. The Post Office and Civil Service Committee announced the following subcommittee appointments:
Special Subcommittee on Manpower Utilization: Reps. Davis, Ga., chairman, Holifield, Scott, Dulski, Alford, Corbett, Gross, Johansen.
Subcommittee on the Civil Service: Reps. Morrison, chairman, Porter, Levering, Foley, Harmon, Broyhill, Gross, Barry.
Subcommittee on Census and Government Statistics: Reps. Lesinski, chairman, Porter, Shipley, Dulski, Prokop, Johansen, Cunningham, and St. George.
Subcommittee on Postal Operations: Reps. Granahan, chairman, Scott, Shipley, Levering, Irwin, Cunningham, Wallhouser, and St. George. pp. D135-6
16. SMALL BUSINESS. Both Houses received the 11th Semiannual Report of the Small Business Administration covering operations between July 1 and Dec. 31, 1958. pp. 2928, 3085
17. LEGISLATIVE PROGRAM. Rep. McCormack stated that the House would consider the Hawaiian statehood and Lake Michigan water diversion bills the week of Mar. 9 if rules were reported on them. p. 3060
18. ~~HOUSE~~ S. 57, the housing bill for 1959, as reported by the Banking and Currency Committee (see Digest 33), includes the following provisions: Extends the farm housing research program for 2 additional years, until June 30, 1961, and authorizes appropriations of \$50,000 for each of the additional years. Authorizes a new program under which the Secretary of Agriculture would insure loans made by private lenders to farmers, associations of farmers, and county governments for the purpose of providing housing and related structures for migratory farm labor; provides that such loans must meet the conditions applicable to direct farm housing loans by the Secretary, except that the maximum loan-to-value ratio would be 90 percent and the maximum interest rate would be 6 percent; provides for an annual charge of up to 1 percent on the outstanding balance for the insurance on loans; limits to \$25 million the maximum amount of the principal obligations of the loans insured in any 1 fiscal year; and provides that the Secretary shall utilize the insurance fund created by the Bankhead-Jones Farm Tenant Act in carrying out this program. Permits national banks to participate in the new insurance program for migratory farm labor housing.
19. ADJOURNED until Mon., Mar. 9. p. 3055

SENATE

20. STATEHOOD. The Interior and Insular Affairs Committee reported with amendments S. 50, to provide for the admission of Hawaii into the Union (S. Rept. 30). p. 2932
Sen. Allott urged statehood for Hawaii and inserted Secretary Seaton's testimony before the Interior and Insular Affairs Committee supporting statehood. pp. 3038-40
21. MONOPOLIES. The Judiciary Committee reported with amendments S. 726, to amend the Clayton Act so as to provide for the more expeditious enforcement of cease and desist orders (S. Rept. 83). p. 2932

22. NOMINATIONS. Confirmed the nomination of Roger W. Jones to be a Civil Service Commissioner. Sen. Carlson inserted a magazine article, "This Is A Bureaucrat," commending the public service of Mr. Jones. pp. 2924-8, 3053
23. COTTON. Sen. Fulbright stated he was disturbed over rumors "circulating throughout the cotton trade that efforts are being made by the State Department and the White House to bring about a change in the cotton export program which was announced by the Department of Agriculture early last month," inserted an article "Benson's Handling of Cotton Program Is Complete Failure," and inserted his letter to Don Paarlberg, of the President's office, expressing his concern over "pressure" to modify the cotton export program. p. 2962
24. ELECTRIFICATION. Sen. Humphrey commended the statement of Sen. Johnson before the annual meeting of the National Rural Electric Cooperative Assoc. "opposing higher interest rates and private financing for REA loans to cooperatives, and inserted his own statement before the meeting favoring legislation to grant REA independent status. pp. 2972-3
25. FARM PROGRAM. Sen. Langer inserted his statement criticizing the "opposition" for not introducing a farm bill, and stated he would support any "decent" farm bill which they introduce. pp. 2953-4
26. RURAL TELEVISION. Sen. Fulbright criticized a decision of the Federal Communications Commission which he stated would make it more difficult for rural areas to obtain television service. pp. 2963-5
27. BUDGET. Sen. Bridges inserted an editorial, "Cutting the Budget," stating that large Federal expenditures make it difficult for States to obtain sufficient revenues "to run their own affairs." p. 2967
28. RESEARCH. Sen. Allott inserted and commended an editorial discussing the importance of basic research. pp. 2971-2
29. UNEMPLOYMENT. Sen. Kennedy discussed the unemployment situation, and urged the enactment of legislation to provide for adequate permanent standards of unemployment compensation. pp. 2976-7
Sen. Hart inserted two items discussing the unemployment situation. p. 2977
30. FOREIGN AFFAIRS. Sen. Saltonstall discussed the desirability of legislation to provide increased training in foreign languages for our representatives abroad, and inserted several articles on the subject. pp. 2985-96
Sen. Morse discussed our relations with Bolivia, including economic aid the U. S. has furnished that country. pp. 3044-7
31. TRANSPORTATION. Agreed to with amendment S. Res. 29, providing for a study of U. S. transportation policies. pp. 3003-06
32. LEGISLATIVE PROGRAM. Sen. Clark criticized the President's legislative and budgetary program, and discussed the "broad outlines" of a program he thought should be followed, including water resources, area redevelopment, and economic growth. pp. 3027-38
33. FOOD RADIOACTIVITY. Sen. Church expressed his concern over increasing radioactivity in food products, and inserted a letter and an article discussing this situation. pp. 3041-2

STATEHOOD FOR HAWAII

MARCH 5, 1959.—Ordered to be printed

Mr. JACKSON, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany S. 50]

The Committee on Interior and Insular Affairs, to whom was referred the bill to provide for the admission of the State of Hawaii into the Union, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The action of the Interior Committee in considering the measure, which is sponsored by 56 Members of the Senate, and voting to report it favorably was unanimous.

The committee held hearings in February of this year on S. 50—the 23d public hearing on Hawaii statehood that has been held by committees of Congress since 1935—followed by executive conferences to amend and perfect the bill.

PURPOSE OF MEASURE

The purpose of S. 50 is to provide for the admission of the populous and prosperous Territory of Hawaii, which has been an integral, “incorporated” part of the United States for 60 years, into the Union as a full and equal sovereign State. Passage of this measure would require no further action by the Congress, but several important steps by the people of the Territory and by the President will remain after enactment.

Hawaii is the only incorporated Territory—one to which the Constitution of the United States has been expressly extended—under the American flag which has fulfilled all of our historic precedents for statehood but which has not yet achieved the destiny of all other incorporated Territories. No other area meets the well-established criteria under which 37 States have been admitted since the formation of the Union by the Thirteen Colonies.

MAJOR PROVISIONS

A section-by-section analysis of S. 50 is set forth later in this report. The major provisions of the bill are:

Approval of proposed State constitution

In the tradition of a number of other Territories, the Legislature of Hawaii in 1949 enacted a measure to provide for the holding of a State constitutional convention. The elected delegates drafted a constitution, which was submitted to the people by plebiscite. Despite the active opposition of the leadership of the International Longshoremen's and Warehousemen's Union (the ILWU), the constitution was adopted by the overwhelming majority of more than 3 to 1.

This proposed Hawaiian Constitution was presented to Congress of the United States as a matter of information by the Senate Committee on Interior and Insular Affairs on August 28, 1950, as a supplement to its Report No. 1928, favorably reporting H.R. 49, 81st Congress, a predecessor measure to the present statehood bill. It was set forth in the Senate committee's report on the Hawaii statehood bill in the 82d, 83d, and 85th Congresses, and is again submitted to the Senate in this report [appendix A].

The Hawaiian Constitution has been commended by the National Municipal League as setting "a new high standard in the writing of a modern State constitution by a convention."

S. 50 finds this document to be "republican in form and in conformity with the Constitution of the United States and the Declaration of Independence," and ratifies it with certain provisions that must be adopted by the people of Hawaii. In the event they do not approve, all other provisions of this Statehood Act will cease to be effective.

State boundaries

Under S. 50 the boundaries of the new State will include all of the islands and territorial waters of the Territory of Hawaii, except the island of Palmyra. Palmyra Island is a small island nearly a thousand miles south of Honolulu and is owned by one family. The committee does not believe that it is an appropriate part of the State unit even though it has, for census purposes, been included within Honolulu County.

The bill specifically excludes certain other islands which are not considered to be part of the Territory.

Voter plebiscite

By plebiscite the qualified voters of Hawaii will adopt or reject three propositions: (a) Shall Hawaii become a State immediately, (b) acceptance of the boundaries of the new State, and (c) acceptance of all the provisions contained in the statehood bill. The new State will not be admitted to the Union if any of these three is turned down by the electorate.

Land grants

When Hawaii was annexed in 1898 the crown lands of the former monarchy and the Government lands became Federal lands. Through the years some of these lands have been set aside for special purposes and others have been exchanged for different lands. Those remaining

in unreserved Federal ownership are, for the most part, mountainous and of little value. The Territory has administered the public lands, except Federal reservations, for the United States since annexation and has collected the revenues and spent them for public purposes.

Section 5 of the bill provides that the State of Hawaii shall succeed to the title now held by the Territory to most of the remaining ceded lands, saving to the United States title to all lands set aside for public use under acts of Congress, Executive orders, or Presidential or gubernatorial proclamations. The section also provides that title to any public lands which are controlled by the United States under permit, license, or permission issued by the Territory of Hawaii and which may during the ensuing 5-year period be set aside for the use of the United States by congressional act or Presidential order shall remain in the United States. It also retains in effect the President's authority to restore lands to their previous status after admission. The use of and benefits from the granted lands will remain the same as they now are.

Election of State and Federal officials

As soon as possible after the enactment, the President is required to certify the fact to the Governor who will call an election of all State elective officers provided in the proposed State constitution and of two Senators and one Representative in Congress.

This additional Representative in Congress will cause a temporary increase in the overall membership of the House until the next apportionment, but the bill does not change the basis for apportionment or the permanent overall membership.

Maritime matters

Hawaii is on many trade routes to and from the Orient. Therefore, it has been a common port of call for American vessels in foreign trade. Such vessels are often granted certain Federal subsidies to better enable the American merchant marine to compete with foreign fleets. One of the conditions to grants of subsidies is that such vessels will not engage in domestic trade in competition with the nonsubsidized coastwise and intercoastal carriers. The protected routes granted to non-subsidized vessels include trade between the continental United States and any American possession or Territory. The Merchant Marine Act, 1936, made an exception to this protective rule by allowing subsidized vessels to call at Hawaii while on a voyage in foreign trade, making an adjustment in subsidies to prevent improper competition. This type of shipping is an integral part of the important Hawaiian shipping industry. To change it would cause serious and unnecessary confusion.

The bill retains the right of such subsidized vessels to continue calling at Hawaii after statehood on the same conditions as now exist.

Section 18 of the bill also retains regulatory jurisdiction of water commerce between Hawaii and the mainland in the Federal Maritime Board. Without a special provision retaining jurisdiction, such jurisdiction would automatically fall to the Interstate Commerce Commission. The committee does not feel that the statehood bill is the place to confuse shipping procedures, authorities, and regulations.

Aviation matters

Hawaii presents a unique situation with respect to the impact of statehood on the Federal regulation of air transportation between the

main islands. This is because of the geographical structure of the Territory, the land areas being separated by substantial expanses of ocean which are not included in the territorial limits of Hawaii. Hence, most, if not all, of the interisland air transportation passes through airspace not a part of the Territory. Under the provisions of the Federal Aviation Act of 1958 and other applicable Federal legislation, the Civil Aeronautics Board exercises economic regulatory jurisdiction over carriers engaged in interstate air transportation, which is defined to include not only transportation between a place in a State and a place in any other State, but also transportation between places in the same State through the airspace over any place outside thereof. Consequently, with the admission of Hawaii as a State, interisland air transportation will remain subject to the economic controls provided by the Federal Aviation Act including other applicable Federal legislation, because that transportation, or most of it, while between places in the same State, will pass through airspace outside the State. In the other States, air transportation of this kind passing through airspace outside the State is of slight volume in comparison with air transportation merely between places in the same State. In the case of Hawaii, the reverse would be true. The committee wishes to make it clear that it believes the application of the provisions of the Federal Aviation Act and other applicable Federal legislation to the State of Hawaii should continue in accordance with the definition of interstate air transportation as contained in that act.

The attention of the Senate is invited to the memorandums on the subject of transportation in Hawaii submitted by the Department of the Interior which appear in the appendix (appendix F), and the testimony of Franklin Stone, General Counsel of the Civil Aeronautics Board, in the Senate hearings.

THE COMMITTEE AMENDMENTS

For the most part, the amendments adopted by the committee are clarifying or perfecting. In section 4 the last provision, forbidding the State of Hawaii to take any action that would unreasonably discriminate against any nonresident persons or corporations, has been deleted. This provision was not in the Alaska Statehood Act, and its omission in the case of Hawaii was recommended by the Department of Justice, which pointed out that the provision was merely expository of existing law. (See *Mullaney v. Anderson*, 342 U.S. 415.)

Section 5 is amended to clarify the situation with respect to Federal and Territorial lands in Hawaii. The changes have the approval of all Federal and State agencies concerned.

Section 6 is amended to provide that the new State shall have but one Representative until the apportionment of Congress following the 1960 census. This amendment was adopted by the House committee and the Senate committee decided to be guided by the wishes of the body in which the Representative would sit.

In section 15 the committee has written an amendment to provide that all Territorial laws enacted by Congress for Hawaii shall automatically terminate in 2 years from statehood unless appropriate State legislation has been enacted prior thereto. Such an amendment was recommended by the Bureau of the Budget. Its purpose is to

require the State to take action in areas properly of State responsibility within the cutoff period.

BACKGROUND OF LEGISLATION

The first Hawaii statehood bill was introduced in the 65th Congress in 1919. Hearings began 25 years ago with those on H.R. 3034, 74th Congress.

Since then, the House and Senate have held 22 additional hearings on the subject of statehood for Hawaii. The record on the question comprises more than 6,600 printed pages of testimony and exhibits. More than 850 witnesses have been heard in the Territory and in Washington. Seven of the hearings have been held in Hawaii (1935, 1937, 1946, 1948, 1954, and 1958). In addition, at least 12 reports have been made.

The question of admitting Hawaii to statehood has been longer considered and more thoroughly studied than any other statehood proposal that has ever come before Congress. Thirty-seven States have previously been admitted to the Union by action of Congress, yet in no single case has there been such a thoroughly careful study of the qualifications of the applicant as in the case of Hawaii.

Hawaii came under the American flag in 1898, with the adoption of Senate Joint Resolution 55, 55th Congress, sponsored by Senator Newlands, of Nevada (30 Stat. 750). This farsighted measure, after reciting the fact that the "Government of the Republic of Hawaii [had] in due form, signified its consent," proceeded to annex to the United States "the said Hawaiian Islands and their dependencies."

Based on the report of the Commission established by the Newlands resolution, organic legislation for Hawaii was enacted April 30, 1900 (31 Stat. 141; 48 U.S.C. 493), by which American citizenship was granted and the Constitution declared to "have the same force and effect within the said Territory as elsewhere in the United States."

Thus, in the language of the Supreme Court of the United States, Hawaii acquired the status of an "incorporated" Territory (182 U.S. 305), became "an integral part of the United States" (190 U.S. 197), and, as such, became "destined for admission as a State" after a "period of pupilage" as a Territory (289 U.S. 537).

Beginning in 1903 the Territory of Hawaii, through its legislature, has petitioned Congress for statehood on at least 17 different occasions. Since 1920, no fewer than 66 bills have been introduced in successive Congresses providing for statehood.

In June 1947, the House of Representatives passed legislation approving statehood for Hawaii by a vote of 196 to 133. This was the first time either House of the Congress had acted on a Hawaiian statehood measure. Although President Truman indicated that he would sign the bill, the Senate committee decided on further investigation.

In March 1950, the Hawaii statehood bill again passed the House of Representatives, this time by the overwhelming majority of 262 to 110. After public hearings and careful deliberation, the Senate Committee on Interior and Insular Affairs of the 81st Congress reported favorably on the measure in June 1950. However, the time element and impending legislation involving other matters of international concern kept the bill from reaching the floor of the Senate before Congress adjourned.

Before the 82d Congress was 5 months old, the Senate committee had repeated its endorsement of the Hawaii statehood bill, but again the reported Hawaii statehood bill was not brought up for debate and decision on its merits.

In the 83d Congress the House for the third time passed a Hawaii statehood bill. In the Senate, a bill for Alaska statehood was added to the Hawaii measure as a title II and the combined measure passed. The House failed to act on the joint bill, however.

In the 84th Congress, the House Interior Committee favorably reported Hawaii statehood, but the measure was recommitted. As a result, the Senate took no action, although hearings were held. In the 85th Congress, both the House and Senate committees favorably reported Hawaii statehood measures, but no action was taken in the Chamber of either House.

BASIC PHYSICAL FACTS

Geography

The present Territory of Hawaii comprises a group of subtropical islands in the North Pacific Ocean. There are eight principal islands in the archipelago and a number of smaller ones. Honolulu, the capital city and center of population lies approximately 2,000 miles southwest of San Francisco, and thus the new State would be nearer to the west coast of the mainland than the west coast is to Washington and New York.

The area of the islands is 6,434 square miles or 4,119,227 acres. This is slightly larger than the combined area of Connecticut and Rhode Island. Of the total acreage, 317,012 acres are held by the Federal Government, 1,415,684 acres by the Territory of Hawaii, and 10,809 acres by the city and county governments. The remaining 2,373,722 acres are held in private ownership.

The climate is moderate throughout the year, with the subtropical heat tempered by the trade winds.

Population

Hawaii is possessed of great natural riches of soil and climate, as will be shown, but her greatest resource is her vigorous, enterprising people, nearly 600,000 in number, all but a small fraction of whom were born under the American flag, educated in Hawaii's excellent school system, and are thoroughly imbued with American principles and ideals.

Under date of January 14, 1959, Robert W. Burgess, Director of the Bureau of the Census, reported to the committee chairman that the civilian population of Hawaii numbered 578,000 as of July 1, 1958, and the total population for July 1, 1957, as 613,000. An accompanying Census Bureau bulletin showed that the civilian population as of July 1, 1958, had increased by 21.2 percent over the 1950 census.

Eighty-five percent of the population of Hawaii are native-born American citizens. As has been historically the fact in America, their racial backgrounds are diverse. The 1950 census shows the major groups contributing to the ethnological background of the total population are as follows: 23 percent Caucasian, 37 percent Japanese, 17 percent Hawaiian, and the remainder Filipino, Chinese, Korean, Puerto Rican, and others. In the past 50 years the proportion of residents of Japanese ancestry has decreased slightly while the pro-

portion of Caucasians has increased slightly. A complete analysis of the ancestry of Americans in Hawaii is included as an appendix (appendix E) to this report.

READINESS FOR STATEHOOD

The Constitution of the United States provides that new States may be admitted into the Union by the Congress, but it sets forth no specific requirements. However, a study of American history, with particular attention to the facts and circumstances surrounding the admission of each of the 37 States that have come into the Union since its founding, shows that the requirements have been—

(1) That the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government;

(2) That a majority of the electorate desire statehood; and

(3) That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

The committee is convinced that Hawaii has met each of these requirements, and is in all ways exceptionally well prepared for statehood.

Americanism

As to the first requirement, Hawaiians have been trained and steeped in American traditions and principles since the New England missionaries landed in the islands in 1820. The constitution adopted in 1840 was modeled after the Constitution of the United States. The people of Hawaii were the prime movers in the early attempts to bring about annexation. This historic direction toward American principles of democracy has continued up to today.

The constitution which was adopted by the people of Hawaii by a 3-to-1 majority is an admirable, thoroughly American document. The Territory has wisely and successfully operated a complete Territorial government, in conformity with the Constitution of the United States, for over half a century.

The loyalty and patriotism of the people of Hawaii has been proved beyond any doubt. Before World War II, the question was voiced in some quarters whether the inhabitants of Japanese ancestry would be loyal to the United States. The answer was dramatically recorded for everyone to see. During World War II American citizens of Japanese ancestry (Nisei) in Hawaii formed the all-Nisei 100th Infantry Battalion. Later, the 100th was integrated into the 442d Regimental Combat Team, an all-Nisei outfit composed of volunteers from Hawaii and the mainland of the United States. In connection with this volunteer combat team, the Army called for only 1,500 volunteers from Hawaii. In less than 3 days, more than 10,000 responded; in a week, more than 15,000 had volunteered.

Between them, the 442d and the 100th made history without parallel in American military annals. According to the record, they were awarded more medals and combat decorations for their size and length of service in the line than any other United States infantry unit in World War II or any previous war.

Fighting in Italy and France, the 100th and 442d became famed as the Purple Heart Regiment. They were in 7 major campaigns, suffering 9,486 casualties, or 314 percent of their original strength.

The unit received 18,143 individual decorations and medals and 7 Presidential distinguished unit citations.

The so-called Nisei served with equal distinction with combat intelligence troops in the Pacific war against their ancestral homeland. After the war thousands of Nisei were called upon to serve in the army of occupation in Japan, contributing in great measure to the success of the occupation and the promotion of democratic principles and general good will toward the United States.

Again, in the fighting in Korea, a much larger percentage of combat troops came from Hawaii than from any other area, and Hawaiian casualties were some 4½ times higher than those from any other area.

Not a single member of the Armed Forces from Hawaii defected, or was susceptible to Communist "brainwashing" as was unfortunately the case with 22 soldiers from other areas. It is perhaps significant, in view of some of the arguments being used against statehood, that many of the steadfast fighting men from Hawaii were members of the ILWU. Not one of these union members defected in any way.

If to be an American is to be willing to live and fight and die in the cause of democracy and freedom, if it is to develop, through industry and initiative, the resources of one's surroundings and within one's self, if it is to obey the laws made by and for the people and to participate in their making, if it is to give of one's self to civic and community development, then the people of Hawaii are beyond any question American in deed, thought, and word.

Desire for statehood

There can be no doubt of the desire of the nearly 600,000 American citizens in Hawaii for full participation in our national political life as a State. Since 1903, the legislature elected by the people of Hawaii have petitioned Congress for statehood again and again.

In 1940, in a territorywide plebiscite on the subject, the people of Hawaii voted 2 to 1 for statehood. They ratified the proposed State constitution by a margin of 3 to 1.

In the general election last year, a so-called Commonwealth Party was on the ballot. Its candidate for Delegate, the only territorywide office was able to poll only 2,500 votes out of a total of nearly 155,000 cast.

Ability to support statehood

The ability of the people of Hawaii to support a State government and to continue to pay their full share to the costs of the Federal Government cannot be reasonably questioned.

In fact, Hawaii's economy alone, if we consider this wholly apart from all its other notable qualifications, would entitle Hawaii to take its place among us as a full-fledged and substantial member of our family of States.

Hawaii's resources are implanted deeply in its lands and industries. These the Territory has managed wisely over the past century to build a firm, self-sustaining, and enduring economy. Today, Hawaii's real property assessments, the goods produced, and its annual business turnover exceed greatly those of any of the 30 Territories heretofore admitted to statehood.

Hawaii's marked economic progress is vividly illustrated in the United States Department of Commerce report entitled "Income of Hawaii." This publication reports that from 1939 to 1952 Hawaii's

economy outpaced that of the Nation. In this span of 14 years, the total of all personal incomes in Hawaii almost quadrupled. The totals were \$218 million in 1938 and \$864 million in 1952.

In 1958, Hawaii's personal income totaled \$1.150 billion. This was the third time Hawaii's personal income exceeded \$1 billion during the postwar period. Historically, Hawaii's per capita personal income has tended to approximate that of the mainland. The personal income of \$1.150 billion in 1958 received by residents in Hawaii was equivalent to \$1,876 per person for Hawaii's total population of 613,000. The 1958 per capita income exceeded that of 26 States, as has been the case since 1955.

Territorial tax revenues from all sources for the fiscal year ending June 30, 1958, amounted to \$122,384,550.

Agriculture.—Hawaii's economy is a stable economy, founded on agriculture. The Senate Interior and Insular Affairs Committee reported in 1955:

Nowhere in the world have scientific methods been applied to agriculture on the scale that prevails in the sugar and pineapple production of Hawaii.

This is still true today.

In 1957, Hawaii's 27 independent sugar plantations produced over 1 million tons of raw sugar on their 221,000 acres, with a total value of \$146 million. Payrolls of the sugar plantations in 1957 were approximately \$56 million for some 17,000 year-round employees. The daily wage, including fringe benefits, is estimated at \$14.80 per day, the Nation's and the world's highest agricultural wage.

The pineapple crop provides the second largest industry in the islands. For fiscal year ending May 31, 1957, the nine pineapple companies, located on five islands of the Hawaiian group, produced 30,787,208 cases of pineapple and juice, valued at \$110 million. The pineapple industry provides employment for about 22,000 during the peak summer canning season and year-round employment for about 9,000 persons. The industry's annual payroll is estimated at \$36 million.

Tourism and hotels.—Hawaii's pleasant climate, scenic beauty, and recreational facilities are also a major asset. The tourist industry expands annually—from a \$6-million-a-year industry in 1946 to \$65 million in 1956. A record total of 197,850 visitors, including transients, came to Hawaii during 1958, spending there \$82,750,000. Tourist expenditures are expected to top \$100 million by 1960. Expenditures by carriers and crews attributable to the visitor industry added \$8,800,000 to this total. Nor do these figures take into account the millions of dollars spent by the airlines and steamship companies serving the Territory, or the spending of service personnel.

Another record-breaking year for isle tourism is predicted for 1959 when it is estimated that \$85 million in new dollars will be derived from more than 200,000 visitors.

The Hawaii Visitors' Bureau reports that roughly 15 percent more seats will be available on flights to Hawaii in 1959 than were available in 1958. Another big increase in capacities will come with the arrival of jets in late 1959 or early 1960. This introduction of faster service will mean an increase in the number of visitors coming to Hawaii from the west coast, the Central States, and the industrialized

East. Also several new ships are scheduled for the Hawaii run, and by 1960 at least two additional 2,000-passenger ships will be making regular calls at Honolulu.

In 1945, the Pacific war came to an end and Hawaii set about refurbishing its facilities after 4 years of combat and defense status. New hotels came slowly. In 1954, four major beach hotels and several smaller ones were erected. This amounted to some 1,000 new hotel rooms. By 1956, there were more than 4,000 rooms at Waikiki. Early 1958 found 450 more hotel rooms in Waikiki than early 1957. In addition, proposed future developments of hotel accommodations have been discussed for the Waikiki area and, when realized, would account for the addition of 1,500 more rooms. Two major hotel chains are currently interested in extending their interests to the Hawaiian Islands.

These expenditures, running into the millions, bolster the Hawaii Visitors' Bureau's optimistic view of the tourist trade as the greatest single source of immediately available revenue, and a potential rival of the sugar industry for first place in the islands' economy.

National defense expenditures.—The strategic importance of Hawaii to the defense of America is vital. The recent enlargement of commands and the movement of Armed Forces from forward areas to Oahu has made Hawaii an increasingly important operational center for the entire Pacific area. Hawaii is a bastion of U.S. military strength in the Pacific, the hub of which is the Pearl Harbor Naval Base, headquarters of the Pacific's unified military command.

The Army has six major posts in Hawaii. Schofield Barracks is one of the largest military posts in area in the world. Headquarters for the commanding general, U.S. Army Forces, Pacific, are at Fort Shafter, in Honolulu.

The Military Establishment there represents today, in the interests of national defense, the islands' largest single source of income. The money spent by the Federal Government, and the goods and services purchased by the Armed Forces, are considered Hawaii's most important "invisible export." This in 1958 amounted to over \$300 million.

Payments into Federal Treasury.—Reflecting the healthy state of their island economy were the tax totals paid last year by residents of Hawaii, more than \$289 million. Of this sum, \$166,300,000 came into the Federal Treasury on account of personal and corporate income taxes. This is more than was paid in by 10 of our mainland States (Wyoming, Vermont, North Dakota, South Dakota, Nevada, Idaho, Montana, New Mexico, New Hampshire, and Alaska).

Although Hawaii has no vote in the Congress levying such taxes, it pays consistently into the Federal Treasury a larger amount than the Federal Government has spent upon the Territory, not including national defense.

Since its incorporation into the United States, Hawaii has paid into the national coffers the impressive sum of \$2,354 millions.

The Hawaii labor force.—Employment in the Territory has reached record totals. The employed labor force increased from 206,000 in 1957 to 210,000 in 1958 and the number of unemployed decreased to 1.6 percent of labor force over the same period. Wages, salaries, and dividends paid to residents of Hawaii during 1957 amounted to over \$700 million.

Land and building valuations.—The steady growth of the population of Hawaii since annexation provides another cardinal statistic which further depicts the substance and soundness of her application for statehood. As of January 1, 1957, the gross assessed valuation of real property aggregated \$1,933,325,220. This exceeds by far the assessed valuation of real property in any of the 30 Territories upon their entrance into the Union as States, and represents, almost, the combined values of real property in all States admitted into the Union since 1850 at the time of their admission.

Important mineral discovery.—The uncovering in Hawaii of high-grade deposits of bauxite—the raw material for aluminum—may make this country independent of foreign sources for this strategic mineral during the next century. The island of Hawaii alone contains more than 300 square miles of rich ore, enough to supply the United States for 100 years. This is the gist of a report by Dr. Paul L. Magill, chemist and senior scientist of Stanford Research Associates. His report reveals the Territory's reserves of bauxite ore as 60 million tons, 10 times the known mainland reserve.

REASONS FOR STATEHOOD

The committee is convinced that the grant of statehood will be in the best interest of the people of the entire Nation as well as the half-million Americans who now reside in the Territory that has been an incorporated part of the United States for 58 years.

In considering the benefits to the Nation of the grant of statehood to any particular Territory, it has never been possible at the time of admission to prove in precise mathematical terms the exact extent to which the residents of the older States would be benefited. The specific advantages accruing to the Federal Government from the admission of any one of the 37 States admitted since the formation of the Union could not have been set forth in concrete terms to the Congress considering admission.

Yet our dramatic history and the greatness of our Nation today prove conclusively that acceptance of new States has benefited the older areas as much as it has the citizens of the new State. Ever since enactment of the Northwest Ordinance of 1787, our people have recognized that our Nation cannot grow strong and prosperous except on a basis of full political equality for every incorporated area the people of which are willing and able to share the burdens of statehood.

The citizens of Hawaii are in precisely the same legal and political status today as were the residents of the Northwest Territory when they were admitted to full citizenship. First, they are residents of an incorporated Territory, one to which the Constitution was extended by the 55th Congress more than a half century ago, thus incorporating it into the Union. Second, the population of the Territory is sufficiently large and its resources sufficiently developed, beyond question, to support statehood. Third, its people are thoroughly imbued with American traditions and ideals and earnestly desire statehood.

A major difference, however, is that Hawaii today has a larger population than 5 of our States (Vermont, Delaware, Wyoming, Nevada, and Alaska), and that with approximately 600,000 people its population is larger than that of any State at the time it entered the Union except Oklahoma. Also, Hawaii is the richest Territory

in the point of economic development ever to enter the Union—in the fiscal year 1958, Hawaii paid more than \$166 million in Federal taxes, a sum greater than that paid by many of the present States.

The admission of Hawaii would constitute a singular achievement in diplomacy. What could be better proof than this to the critical Far Eastern area that the United States is still the land of promise for people of all backgrounds? The Hawaiian-Americans of Japanese and other oriental backgrounds will be the living example that we live by principles of freedom and self-determination for all people. These thoroughly American people of oriental ancestral background can be a catalyst of untold value in accomplishing understanding where understanding is most needed.

The American people believe that statehood for Hawaii is in the best interest of the Nation. Public polls taken over the last 10 years indicate that during that period the public has favored statehood by a majority of 3 to 1 or more. The latest reported poll indicates that the present favorable majority is more than 8 to 1.

The platforms of both major political parties call for immediate statehood as they have for some years past, and President Dwight D. Eisenhower has strongly urged it throughout his administration as did former President Harry S. Truman.

Admission of Hawaii to statehood would give it full and equal participation in the American system of government. It would accord the half-million American citizens who are also citizens of Hawaii the following specific rights which they do not have under the present Territorial system of government:

1. The right to voting representation in both the Senate and the House of Representatives;
2. The right to vote for the President and Vice President of the United States;
3. The right to choose their own Governor and to carry on functions of government by their own elected officials instead of Federal administrators,
4. The right to determine the extent of the powers to be exercised by their own legislature;
5. The right to have local justice administered by judges selected under local authority rather than by Federal appointees;
6. The right to freedom from overlapping of Federal and local authority; and
7. The right to a voice in any proposed amendment of the Federal Constitution, as well as on the taxes which they must pay.

Any concept of permanent inferiority for the residents of any American Territory who have qualified for statehood by every historic and economic standard, and the vast majority of whom fervently desire it, is foreign to the American ideal. On the basis of principles established 170 years ago, our people heretofore always have recognized the right of an incorporated Territory to receive statehood as soon as it demonstrates conclusively that it can meet the requirements for statehood. Hawaii, with its large, thoroughly American population, its economic development, the splendid war record of its people in fighting and dying for American ideals in both Europe and Asia, and the desire of its people for statehood, fits perfectly into the historic pattern under which our Nation has grown great.

ARGUMENTS AGAINST STATEHOOD

In the past the arguments against statehood have fallen into the following general pattern:

(1) That Communists, through control of the International Longshoremen's and Warehousemen's Union (ILWU), have a stranglehold on the economy of the Hawaiian Islands, and that they have such political power that communism is a threat to the political stability of the Territory; officials would continue to be subject to Communist pressure under statehood;

(2) That the so-called Caucasians are outnumbered by groups of different ancestry;

(3) That the Territory is noncontiguous and hence outside the pattern of the present Union of States;

(4) That two Senators from Hawaii would give the new State representation in Congress disproportionate to its population in comparison with other States.

Communist control.—The U.S. Department of Justice, which is charged with responsibility over investigation, prosecution, and control of Communist subversion favors enactment of the bill. The present position of the Department, with all of the resources of the FBI and other investigative agencies at its disposal, is unchanged from previous years. On February 4 of this year the Attorney General of the United States wrote to the committee as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., February 4, 1959.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR SENATOR: In your letter of January 14, 1959, to the Attorney General you request to be advised whether or not this Department has in its possession evidence that would substantiate allegations "that Communist power and influence in Hawaii is such that the Senators and Congressmen (elected there) necessarily would be subject to Communist influence." Your letter of January 19, 1959, to the Attorney General also relates to the same problem.

Information in our possession would not substantiate the allegation that the Senators or Congressmen elected in Hawaii would be subject to such influence. Moreover, you will recall that in my letter to you of July 9, 1958, concerning statehood for Hawaii, I stated that the Department's position in support of statehood was firm and unequivocal. Our position remains unchanged.

The comments you requested concerning the provisions of your bill for statehood for Hawaii are in the process of preparation and will be forwarded to you upon their completion.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

The Department of Defense has likewise reported favorably on the measure, and witnesses have testified in support in previous years. In the House committee hearings, the Honorable Francis E. Walter, chairman of the House Committee on Un-American Activities, stated

he was of the opinion that, given the machinery provided in the present admission act, the people of Hawaii under statehood could manage the security problems created by Communist activities better than under existing conditions.

The Korean war served as proof of the loyalty of Hawaiian-Americans when fighting against a Communist enemy. In connection with Hawaiian participation in that conflict Gen. J. Lawton Collins wrote to the late Delegate from Hawaii, Hon. Joseph R. Farrington:

The relatively high casualty rate suffered by Hawaii soldiers can be attributed to the large proportion of Hawaii soldiers in the 24th Infantry Division, which includes the 5th Regimental Combat Team, and the 25th Division. At the time of its deployment to the Far East Command, almost 50 percent were Hawaii-born soldiers. I doubt that any other unit of the Regular Army can be associated with a particular geographical area as closely as the 5th Regimental Combat Team is associated with Hawaii. There were also substantial percentages of Hawaii soldiers in the 24th and 25th Divisions which were already in Japan and which were, of course, the first committed in Korea. All enlisted personnel of these units, when the conflict started, were volunteers. The heavy fighting that they have encountered and the regrettably high casualty rates sustained are, of course, well known throughout the United States.

The splendid part played by Hawaii in the Korean war is entirely in keeping with the distinguished record it established in World War II.

The record in the Korean war can be summarized as follows:

Not one case of cowardice by a Hawaii soldier in the face of the Communist enemy was recorded in Korea.

Not one case of successful Red "brainwashing" of any Hawaii soldier was recorded.

Not one case of a Hawaii soldier's desertion to the enemy was recorded.

Of the 22 American servicemen who refused repatriation after the Korean war in favor of remaining with the Communists * * * there was not one from Hawaii.

There were 426 Hawaii boys killed in Korea action, a death toll 4½ times the killed-in-action average for the rest of the United States. There were 1,352 total battle casualties from Hawaii, a rate three times as great as the casualty rate per capita for the rest of the Nation.

The committee is convinced, and there is no evidence to the contrary, that a grant of statehood will not in any way decrease the ability of the Nation or the people of Hawaii to combat the malignancy of communism. On the contrary, the people of Hawaii have taken unprecedented steps to protect themselves and have shown superior recognition of the menace. Therefore, the committee believes that statehood will provide a suitable and effective political structure through which the people of Hawaii can and will hasten the destruction of the last vestiges of Communist influence.

The people of Hawaii

The second objection, that of racial heterogeneity in the Territory, appears to be based on reasons which for the most part rarely are expressed frankly and openly. With the entire free world looking to the United States for moral and spiritual leadership, the committee does not believe that the 86th Congress will deny full political equality to a group of its own citizens who have met every historic test of qualifying for statehood merely because of the ancestry of a part of that group. Hawaii has been thoroughly American in word, thought, and deed for a half century and longer. Its American institutions and school systems have produced American citizens worthy to stand on a basis of full equality with the best citizens of any State in the Union.

The devotion to American ideals of the sons of Hawaii has been indelibly written in the pages of world history on the battlefields of Europe and, more recently, in Korea. In civic, economic, and cultural attainments, also, the people of Hawaii have created a community to stand on a basis of full political equality with every other American community.

Noncontiguity

The argument that Hawaii should forever be denied statehood because their islands are not physically contiguous by land to the continental United States is in our judgment fallacious. Physical contiguity is not, and never in all our history has ever been, one of the requirements for statehood. It should play no part in consideration of this measure. Hawaii has for many decades been completely incorporated within the American system in every respect despite its lack of land contiguity. It is within the American judicial, customs, and internal revenue systems. Its churches, fraternities, veterans' and other organizations, its business groups and banking systems, are closely linked with their counterparts on the mainland. In terms of modern communication and transportation Hawaii is today far closer to Washington than were many of the Original Thirteen States when the Constitution was adopted. In short, Hawaii is an integral part of the American scene.

With modern methods of transportation and communication—air, sea, radio, and telephone—the argument that Hawaii is noncontiguous can carry little weight. Hawaii is in fact contiguous to the mainland for all practical purposes. The committee believes that the Union of States that is the United States is more than a mere geographic arrangement. It is a union that comes of a common loyalty and a common purpose. In these respects, Hawaii is, in fact, contiguous.

As an example from the past, when California was admitted to the Union a trip to Washington meant 13,355 nautical miles around Cape Horn or crossing the vast, hostile Indian country of the western plains. When the Panama Canal was opened the voyage by water from Washington to San Francisco was cut to twice the distance from Hawaii to San Francisco.

Representation in Congress

The last argument, which asserts that two Senators would dilute the representation of large States, seems to the committee to have been wisely and finally settled 172 years ago by the Founding Fathers. For the information of the House it should be noted that Hawaii has a larger population than six of the present States, and, when

admitted, will join five other States which have two Senators and one Representative in Congress.

Therefore, the committee finds no merit in any of the arguments against statehood, and recommends that statehood be granted.

CONCLUSION

The committee realizes that the Congress is not bound by court decisions or by congressional precedent; the final decision lies in the sound discretion of the 86th Congress. However, every court utterance on the subject and every action of other Congresses considering other States lead to the inevitable conclusion that the wisdom of the ages is on the side of statehood.

More than one-half million Americans in Hawaii are asking for the responsibilities that go with the kind of government which we know to be best for the Nation and best for individual Americans. The committee believes that Hawaii has proved all qualities that the Nation traditionally demands.

Now is the time to prove to all the world that self-determination applies in the United States just as it must apply wherever in the world human nature can be free to follow its course.

SECTIONAL ANALYSIS

A section-by-section analysis of S. 50, as reported, is set forth below. Amendments adopted by the committee are included in the analysis.

GENERAL PROVISIONS

Section 1 declares that, upon issuance of the proclamation required by the act, the State of Hawaii is admitted into the Union on an equal footing with other States, subject to the provisions of the act; finds that the constitution adopted by the people of Hawaii in the election held November 7, 1950, conforms with the Constitution of the United States and the principles of the Declaration of Independence; and confirms the constitution so adopted.

Section 2 defines the area which will comprise the State of Hawaii. It includes the islands, appurtenant reefs, and territorial waters included in the Territory of Hawaii, except the atoll known as Palmyra Island which, together with its reefs and territorial waters, is excluded from the State. The State will not include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, which islands are not now included within the Territory of Hawaii.

Section 3 requires that the constitution of the State of Hawaii shall always be republican in form and not be repugnant to the Constitution of the United States or the Declaration of Independence.

Section 4 requires the State of Hawaii to adopt the Hawaiian Homes Commission Act, 1920, as a provision of its constitution and provides that it shall not be changed in its basic provisions except with the consent of the United States. Article XI of the constitution of Hawaii conforms to this requirement. The Hawaiian Homes Commission Act is a law which set aside certain lands in order to provide for the welfare of native Hawaiians. While the new State will be able to make changes in the administration of the act without the

consent of Congress, it will not be authorized, without such consent, to impair by legislation or constitutional amendment the funds set up under it or to disturb in other ways its substantive provisions to the detriment of the intended beneficiaries.

LAND GRANTS

Section 5 concerns property grants to the new State. Subsection (a) confirms in the State the Territory's title to certain lands and other property. Subsection (b) grants to the State title to Federal public lands and other Federal public property in Hawaii held by the United States at the time of Hawaii's admission into the Union. Both of these subsections, however, are subject to the qualification expressed in subsection (c) the effect of which is to reserve to the United States any lands or other properties which are set aside for Federal use by act of Congress or by order of the President or the Governor of Hawaii. Subsection (b) is also qualified by subsection (d) which provides that any public lands or other public property that, at the time of admission, is controlled by the United States under permission from the Territory may be set aside by Congress or by Executive order within 5 years from the date of admission and that, if this is done, these lands and property shall be the property of the United States. Subsection (e) provides that each Federal agency having control of land or property retained under subsections (c) and (d) shall review its needs and report to the President within 5 years after admission of the new State and that the President shall turn over to the State that which is not needed by the Federal Government.

The effect of subsection (f) is to create a trust of the public lands granted to the State and of any proceeds derived from them, the trust to be administered for the support of educational institutions, the welfare of native Hawaiians, the development of farm and home ownership, public improvements, and the provision of land for public use. The language employed with respect to educational institutions supported in whole or in part from this land grant is the same as that used in earlier acts for the admission of States to the Union. It requires that the educational institutions remain under public control and be not sectarian or denominational. The words used are in the nature of a limitation and not a grant and will not interfere with the operation of the Federal Constitution.

Subsection (g) defines the terms "lands and other properties" and "public lands and other public property." Subsection (h) repeals laws of the United States reserving its right to the free use of property which is granted to the State by the act. Subsection (i) makes it clear that the Submerged Lands Act and the Outer Continental Shelf Lands Act will extend to the new State.

PROCEDURE FOR ADMITTING THE STATE OF HAWAII INTO THE UNION

Section 6 and the following section establish the machinery for admitting the State of Hawaii into the Union. Section 6 requires the President to certify the enactment of this act to the Governor of Hawaii. The Governor must issue his proclamation for the election of all officers provided for by the State constitution. The officers to

be elected must include two Senators and one Representative in Congress.

Section 7(a) provides details concerning the election mentioned above.

The qualifications of voters and the manner of certifying the results of the elections are defined.

Subsection 7(b) requires that the following three propositions be submitted to the voters for adoption or rejection:

(1) Shall Hawaii immediately be admitted into the Union as a State?

(2) The boundaries of the State of Hawaii shall be as prescribed in the act of Congress approved _____,

(Date of approval of this act)

and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

(3) All provisions of the act of Congress approved _____

(Date of

approval of this act) reserving rights or powers to the United States,

as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii, are consented to fully by said State and its people.

If the propositions are adopted by the people the State constitution will be deemed amended to include each of such propositions. If the two propositions are not adopted by a majority of the voters the act shall "cease to be effective."

The act does not designate a date for the election at which such propositions must be submitted to the people; however, the proposed new State cannot be admitted into the Union unless and until the election has been held and both propositions adopted.

Subsection 7(c) provides that upon the finding by the President that the propositions previously mentioned have been duly adopted, and upon certification of the returns of the election described in section 7 of the act, the President shall issue his proclamation announcing the results of the election and the State of Hawaii shall thereupon be deemed admitted into the Union.

The subsection also provides that Territorial officers, including the Delegate in Congress, shall continue in their offices until the new State is admitted. Upon the President's proclamation the officers newly elected will assume their duties under the authority of the State. When the election of the Senators and Representatives in Congress has been duly certified those officers will be entitled to be seated in Congress.

Section 8 provides that the new State shall be entitled to one Representative in Congress until the time of the next apportionment. Such Representative will cause a temporary increase in the overall membership of the House of Representatives; however, the act shall neither increase nor decrease the permanent membership nor affect the basis of apportionment in the House of Representatives.

THE JUDICIAL SYSTEM

Section 9 provides for the establishment of a U.S. district court with powers derived from article III, section 1, of the Constitution of the

United States. The existing U.S. District Court for the District of Hawaii, which is hereinafter referred to as the "Territorial court," is converted into a constitutional court by changing the source of judicial authority, terminating the powers of Territorial court judges, and appointing two judges for the new court.

By existing law, the judges now sitting in the Territorial court are appointed for terms of 6 years.

Subsection 9(b) repeals the provision of the Judicial Code establishing eligibility for judges of the Territorial court.

Subsection 9(c) repeals the statutory direction that judges of the Territorial court shall hold office for a term of 6 years.

Therefore, the judges of the Territorial court now hold office pursuant to statutory authority which statutory authority is repealed by this act; and the judges in office when the act takes effect are removed.

Section 10 removes the Territorial court in Hawaii from the purview of a provision of existing law which defines the term "court of the United States." The effect of the section is to place the new Federal court in Hawaii in the same status as other Federal district courts in the United States.

Section 11 makes a number of technical changes in the Judicial Code. The changes are as follows, all of which serve to place the State of Hawaii in equal status with other States:

(a) Repeals a provision of existing law setting special eligibility requirements for U.S. attorneys for the District of Hawaii;

(b) Deletes a provision of existing law which requires a different term of office for U.S. attorneys in Hawaii than for U.S. attorneys elsewhere;

(c) Deletes a provision of existing law which requires a different term of office for U.S. marshals in Hawaii than for U.S. marshals elsewhere; and

(d) Repeals a provision of existing law setting special eligibility requirements for U.S. marshals for the district of Hawaii.

Section 12 provides for the continuity of legal actions notwithstanding the admission of the State of Hawaii into the Union and defines the successor courts according to the nature of pending matters. It should be noted that there are now in existence in Hawaii two separate court systems, one of which handles Federal matters while the other handles Territorial matters. Therefore, the legal business can be continued in the succeeding courts without the necessity of dividing and transferring business which is now handled by a particular court. In short, the courts established on admission of the State into the Union are parallel in function to the existing courts.

Section 13 insures that rights of appeal will not be disturbed by admission of the State into the Union.

Section 14 makes a number of changes in the Judicial Code. The effect of the changes, all of which serve to place the State of Hawaii in equal status with other States, is as follows:

(a) Removes a provision which now gives litigants in any court of record of Hawaii certain rights of direct appeal to the Supreme Court of the United States;

(b) Removes the Territorial Supreme Court of Hawaii from the purview of a special provision of existing law allowing appeals in certain cases to the U.S. Court of Appeals for the Ninth Circuit;

(c) Repeals a provision of existing law which makes special provisions for appeals from the Territorial Supreme Court of Hawaii;

(d) Excludes the Territorial court from a provision authorizing pensions to judges in Territories and possessions, but saves the rights of judges which may have accrued under the provision;

(e) Repeals provisions of existing law setting salaries for the Governor, secretary, and judges of the Territory of Hawaii;

(f) Repeals a provision of law which applies to the Territorial courts of Hawaii the usual rules on removal of lawsuits;

(g) Removes the Territorial supreme court from the purview of a provision of existing law relating to promulgation of rules of criminal procedure;

(h) Removes the Territorial supreme court from the purview of a provision of existing law relating to promulgation of rules on procedure after a verdict in criminal cases;

(i) Includes Palmyra Island within the Hawaii Federal judicial district; and

(j) Extends the civil and criminal jurisdiction of the new U.S. District Court for the District of Hawaii to Palmyra Island.

Subsections 14(i) and 14 (j) do not and are not intended to include Palmyra Island within the State of Hawaii. The amendments only provide a Federal forum for the island.

Section 15 directs that all Territorial laws and all United States laws will continue in effect for a period in any event not to exceed 2 years after the admission of the State of Hawaii to the Union, except as they are changed by the act or may properly be changed by State law.

The term "Territorial laws" is defined by a clarifying amendment to include laws of the United States which are enacted solely under the authority of the United States to provide for the government of Hawaii prior to statehood.

JURISDICTION OVER CERTAIN EXISTING FEDERAL RESERVATIONS

Section 16, subsection (a), retains exclusive jurisdiction in the United States over Hawaii National Park, subject to the right of the State to serve process and impose taxes on persons and private property within the park and to the exercise of voting rights by residents within the park. Subsection (b) reserves to Congress the right to exercise its power of exclusive legislation over lands which, immediately prior to admission of Hawaii into the Union are owned or controlled by the United States and held for defense or Coast Guard purposes. The State is authorized, however, to serve process on these lands and, until Congress acts to exercise its reserved power, to exercise all of its other usual functions in the area. The Federal power of exclusive legislation expires when the area ceases to be used for defense or Coast Guard purposes. Notwithstanding other provisions of this subsection, the United States will have sole and exclusive jurisdiction over any military installations that are determined to be critical areas by the President or the Secretary of Defense. The term "defense purposes" is used in the bill to cover military, naval, and Air Force purposes.

MISCELLANEOUS PROVISIONS

Section 17 includes the State of Hawaii within the Federal Reserve System.

Section 18 concerns maritime matters. Subsection (a) continues the present jurisdiction of the Federal Maritime Board over water transportation to and from the State of Hawaii. Subsection (b) makes three minor changes in the Merchant Marine Act. That act provides that ships which receive operating or construction subsidies from the United States may call at island territories on voyages in foreign trade. Under the existing law such ships do call at Hawaii and it is intended that such calls may continue without prejudice to the carriers' subsidies.

Section 19 provides that the act shall not affect the nationality of any person.

Section 20 makes minor changes in the Immigration and Nationality Act to conform it to the new status of Hawaii. Subsection (a) deletes a specific reference to the territory from the definition of "State" in the Immigration and Nationality Act; subsection (b) removes Hawaii from the coverage of a section of the act which presently includes Hawaii as one of the Territories to which are applied certain standards for denying aliens the privilege of admission into the remainder of the United States; subsection (c) deletes from a section of the act conferring jurisdiction over naturalization proceedings the present reference to the territorial court. Subsection (d) provides that nothing contained in the Hawaii Admission Act shall affect a provision of the Immigration and Nationality Act declaring that persons born in Hawaii in 1898 or later and persons who were citizens of Hawaii in 1898 are citizens of the United States.

Section 21 modifies section 3(b) of the act of September 7, 1957, which deals with guaranteeing of loans for air feeder lines and similar matters, by substituting "State of Hawaii" for "Territory of Hawaii."

Section 22 is a standard separability provision declaring that a determination that any portion of the act or its application in any particular circumstance is invalid shall not affect the remaining portions of the act or its applications in other circumstances.

Section 23 is a standard provision repealing all acts in conflict with the present act.

EXECUTIVE AGENCY REPORTS

S. 50 was submitted to all of the executive agencies concerned with statehood for Hawaii. All have reported on the measure favorably. Their reports are set forth below:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., February 4, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR: In your letter of January 14, 1959, to the Attorney General you request to be advised whether or not this Department has in its possession evidence that would substantiate allegations "that Communist power and influence in Hawaii is such that the Senators and Congressmen (elected there) necessarily would be subject

to Communist influence." Your letter of January 19, 1959, to the Attorney General also relates to the same problem.

Information in our possession would not substantiate the allegation that Senators or Congressmen elected in Hawaii would be subject to such influence. Moreover, you will recall that in my letter to you of July 9, 1958, concerning statehood for Hawaii, I stated that the Department's position in support of statehood was firm and unequivocal. Our position remains unchanged.

The comments you requested concerning the provisions of your bill for statehood for Hawaii are in the process of preparation and will be forwarded to you upon their completion.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., July 9, 1958.

Hon. JAMES E. MURRAY,
U.S. Senate, Washington, D.C.

DEAR SENATOR: Yesterday the Department received word that you were under the impression that your letter of January 13 addressed to the Attorney General had not been answered. I am writing because I am afraid that your files may not show that in response to your letter, Mr. J. Walter Yeagley of this Department did communicate with Mr. Stewart French, counsel to the Committee on Interior and Insular Affairs, as your letter requested. As Mr. French further confirmed yesterday, it was our understanding that we had given you all the information you required.

The Department's position in support of Hawaiian statehood is, of course, firm and unequivocal. It is expressly set forth in Mr. Roger's letter to you, dated April 8, 1957. In that letter Mr. Rogers wrote:

"The Department of Justice favors the enactment of legislation to grant statehood to Hawaii as recommended by the President in his budget message for the fiscal year ending June 30, 1958. * * *"

Insofar as claims with respect to communism are concerned, the matter was discussed by Mr. Rogers in a letter to Senator Jackson, dated March 28, 1957, which was specifically called to Mr. French's attention by Mr. Yeagley last February.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., March 28, 1957.

Hon. HENRY M. JACKSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This refers to your letter of January 17, 1957, in which you requested the views of the Department of Justice with respect to the legislation proposing statehood for Alaska and Hawaii and in which you set forth certain specific questions relating to the subject of communism in Hawaii, and to your subsequent letter of

March 13, 1957, in which you request the testimony of an official of the Department with respect to the subject of communism in Hawaii.

The number of Communist Party members in Hawaii is not large. On January 13, 1954, the Attorney General advised Senator Hugh Butler of your committee that the number of known members of the Communist Party appeared to be fewer at that time than in 1950. Since then there has been no significant change in the number of party members.

As you know, of course, the threat of Communist subversion can never be judged solely by actual numerical strength of the Communist Party. It is rare in the history of the world that Communists have ever obtained power or influence through the electoral process. The serious threat of communism in Hawaii, as elsewhere in this country, is through infiltration into those fields of activity which have an important bearing upon the political and economic life of the Nation and the States. Consideration must be given to the extent of influence and control Communists, Communist sympathizers and their associates may be able to exert particularly through the International Longshoremen's and Warehousemen's Union in the islands. I would think that members of the Senate Internal Security Subcommittee of the Senate Judiciary Committee who were recently in Hawaii investigating these matters from November 30 to December 6, 1956, could furnish you with very helpful information along these lines. You will recall, of course, that the ILWU was expelled in May of 1950 from the Congress of Industrial Organizations on the ground that the ILWU consistently followed the policies of the Communist Party.

In considering the question of statehood for Hawaii I can readily appreciate your desire to study the present extent of Communist influence and control as well as the possible effect in the future the granting of statehood might have upon the Communist threat in the islands. In this regard the principal Federal laws dealing with internal security matters which have been telling legal weapons against Communist infiltration are our criminal laws relating to espionage, sabotage, treason, the Smith Act, and such laws as the Internal Security Act of 1950 and the Communist Control Act of 1954. These statutes apply with equal force to the Territories as they do to the respective States and would be as useful in the event Hawaii were to become a State as they are under the present Territorial arrangement. For example, Jack Hall, leader of the ILWU in the islands, and 6 other Communists were convicted in June of 1953 for violation of the same Smith Act as was used to convict the 11 top leaders of the Communist Party of the U.S.A. in Judge Medina's court in New York in 1949. The seven convicted in Hawaii are presently out on bond pending the outcome of their appeal to the ninth circuit. I will be glad to make available for the inspection of your committee a copy of the transcript of the testimony in that case.

In your January 17 letter you specifically asked whether recent events such as refusal of certain persons to testify before the Senate Internal Security Committee have been of significant value in weakening the strength of communism in Hawaii. The exposure of Communist activities in Hawaii by that committee was undoubtedly most helpful but we cannot, of course, measure exactly the extent to

which Communist influence in the islands may have been lessened by those hearings.

I trust the foregoing will be of assistance to your committee. Inasmuch as the present and future investigative programs of this Department might be jeopardized by disclosure of information obtained from confidential sources and in view of the impropriety of a departmental official commenting on pending matters whether under investigation, in the course of trial, or on appeal, I believe that there is little that could be added to the foregoing through testimony by an official of this Department. I will be happy to talk to you about this matter at your convenience.

Best personal regards.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 4, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR MURRAY: This will reply to your request for the views of this Department on S. 50, providing for the admission of the Territory of Hawaii into the Union.

We urge the enactment of Hawaii admission legislation. We shall be glad to assist the committee in any way it may desire in connection with the technical language of the bill.

Now that the admission of Alaska as a State in the Union is a fact, we believe that the prompt admission of Hawaii, our only remaining incorporated Territory, will represent a timely addition to this Nation's complement of States. Furthermore, the admission of Hawaii will fulfill a solemn obligation on the part of the United States to the people of Hawaii—first expressed in the treaty of annexation in 1898.

The bill provides for the admission of Hawaii into the Union as a State, and prescribes the procedure to be followed for that purpose. It properly recognizes the actions already taken by the government and the people of the Territory to form and adopt a State constitution, and ratifies those actions.

With the admission into the Union of Alaska, many of the objections formerly argued against the admission of Hawaii are no longer applicable. The opposition to admission of noncontiguous areas, for example, is obviously outdated. In fact, Hawaii is in every way as well-qualified for statehood as is Alaska.

Hawaii is truly American in every aspect of its life. Its people have been citizens of the United States since 1900; they have no other loyalty. They have lived under the same laws, paid the same taxes, and enjoyed the same constitutional guarantees as other Americans for over half a century. The Americanism of the people of Hawaii goes beyond mere legal conformity. Hawaii is pervaded by American ideals and practices in its civic organizations and private charities, in its educational system and its athletics, in its press and radio, and in its way of living generally.

While a substantial proportion of Hawaii's people are of racial extractions originating in a distant continent, we believe there are no finer patriots in the Nation—as was proved by the kind of service given by Hawaii's sons during World War II and the Korean conflict.

Hawaii has also met every objective test of fitness for statehood. The civilian population of Hawaii for 1958 was estimated by the Census Bureau to be 578,000. Although recent figures on military population cannot be revealed for security reasons, it seems likely that the military population in 1958 amounted to about 59,000, the same figure as for 1957, thus giving Hawaii a total of 637,000 for 1958.

Thus, Hawaii's population exceeds that of the following 6 States: New Hampshire, 584,000; Delaware, 454,000; Vermont, 372,000; Wyoming, 320,000; Nevada, 267,000; and Alaska, 214,000.

In recent years Federal internal revenue collections in Hawaii have generally exceeded those in 10 of the present States. In fiscal 1958 such collections in Hawaii amounted to \$166,306,000, which were greater than the collections in New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, New Mexico, Nevada, or Alaska.

The Hawaiian Tax Commissioner has estimated the islands' gross Territorial product for 1958 at the impressive total of \$2,109,890,000.

For many years the people of Hawaii have exercised self-government in a manner that demonstrates their firm adherence to the ideals of free government. The Hawaiian economy is well developed and prosperous. It can easily support the slight additional expense to the Hawaiian taxpayer that will result from statehood.

The Territory of Hawaii has repeatedly petitioned for statehood, and 8 years ago adopted a State constitution which was ratified overwhelmingly by the voters. The constitution evidences a sound and mature grasp of governmental problems.

President Eisenhower has repeatedly recommended statehood for Hawaii. In opening his state of the Union address of January 9, the President said: "May I voice the hope that before my term of office is ended I shall have the opportunity and great satisfaction of seeing the 50th star in our national flag." And in his budget message to the 86th Congress, the President stated: "I again recommend that the Congress enact legislation to admit Hawaii into the Union as a State, and to grant home rule to the District of Columbia. It would be unconscionable if either of these actions were delayed any longer."

We appreciate this opportunity to again express our views on this important subject. And we stand ready to aid your committee, in any manner, to assure early consideration by the Congress of the petition of the people of Hawaii for admission of Hawaii into our Union. As a matter of simple justice, the prompt admission of Hawaii, our last incorporated Territory, should be accomplished as soon as possible.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 13, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This will reply to your letter of January 14, 1959, requesting the comments and views of the Bureau of the Budget on S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

The President has strongly urged the enactment of legislation to admit the Territory of Hawaii into the Union. The President stated in his annual budget message transmitted to the Congress on January 19, 1959, that it would be "unconscionable" if this action were delayed any longer. We believe that Hawaii is fully prepared to assume the responsibilities that go with statehood and should be permitted to take its rightful place as an equal member of the Union.

Section 15 of S. 50 would continue in force and effect all Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union, except as modified or changed by the Statehood Act or the State constitution. Territorial laws would be subject to repeal or amendment by the Legislature of the State of Hawaii. Territorial laws are defined to include "all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union."

The purpose of the foregoing section is to assure necessary continuity of laws until such time as the legislature of the new State can enact laws for the control of its internal affairs. The definition of "Territorial laws" as including laws enacted by the Congress for the government of the Territory may have the result, in some instances, of continuing Federal responsibility for the administration of laws regulating intrastate commerce. While it may be highly desirable that Federal officials continue administration of such Territorial laws for a transitional period, considerable confusion might arise if the termination of Federal responsibility were left solely to future action by the State legislature. We suggest, therefore, that section 15 be amended to make clear that such Federal responsibility will cease either on a date specified in the Statehood Act, or on the effective date of any law enacted by the State legislature which modifies or changes such Territorial law, whichever occurs first.

The Bureau of the Budget supports the objectives of S. 50, and you are hereby advised that the enactment of legislation to provide for the admission of the State of Hawaii into the Union would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 3, 1959.

HON. HENRY M. JACKSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: We have looked into the history behind the provision found in section 5(c) of S. 50, a bill to provide for the admission of the State of Hawaii into the Union, which states that the "schools and other educational institutions * * * supported out of such public trust shall remain forever under the exclusive control of said State * * *." We have found that S. 49 of the 80th Congress, a bill to admit Hawaii to statehood, did not contain such a provision when introduced. However, when the House Committee on Interior and Insular Affairs reported on that bill, it struck out the entire text, and substituted a new text. In its revised form the bill contained the present language concerning control of the schools, and the bills introduced in the various Congresses since that time have adopted this provision. The committee report in the 80th Congress does not explain the reason for this change. However, it may have been made so that the Hawaii bill would conform to other enabling acts.

Language similar to that in section 5(c) of S. 49 providing that the schools and other educational institutions shall forever remain under the exclusive control of the State has been found in the legislation providing for the admission of the last 11 States. There are slight variations in the actual words, and in the case of Alaska the provision relates to "exclusive control of the State, or its governmental subdivisions." Substantive differences exist in the case of the Oklahoma statute, as pointed out below. Otherwise, the general scope of the provision appears to be the same in each of these 11 situations. We direct your attention to the following statutory provisions:

(1) For Alaska, section 6(j) of the act of July 7, 1958 (72 Stat. 339, 342), which states:

"The schools and colleges provided for in this Act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university."

(2) For New Mexico and Arizona, section 26 of the act of June 20, 1910 (36 Stat. 557, 573), which states:

"That the schools, colleges, and universities provided for in this Act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university."

(3) For Oklahoma, section 8 of the act of June 16, 1906 (34 Stat. 267, 273), which provides in part:

"Such educational institutions shall remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes, or the income or rentals thereof, shall be used for the support of any religious or sectarian school, college, or university."

This provision in the Oklahoma statute, it will be noted, differs somewhat from those in the other statutes cited in that it applies only to "such institutions." Apparently this reference is to the institutions listed earlier in section 8, namely, the University of Oklahoma, the normal schools, and the Agricultural and Mechanical College. It is not expressly applicable to all the public schools as are the comparable provisions in the other statutes.

(4) For Utah, section 11 of the act of July 16, 1894 (28 Stat. 107, 110), which states:

"The schools, colleges, and university provided for in this Act shall forever remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes, or of the income thereof, shall be used for the support of any sectarian or denominational school, college, or university."

(5) For Wyoming, section 8 of the act of July 10, 1890 (26 Stat. 222, 223), which states, in part:

"The schools, colleges, and universities provided for in this Act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university."

(6) For Idaho, section 8 of the act of July 3, 1890 (26 Stat. 215, 216), which includes a sentence identical to that quoted above with respect to Wyoming.

(7) For North Dakota, South Dakota, Montana, and Washington, section 14 of the act of February 22, 1889 (25 Stat. 676, 680), which states in part:

"The schools, colleges, and universities provided for in this Act shall forever remain under the exclusive control of the said States, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university."

On the other hand, there is apparently no provision of this type in the act of March 3, 1875 (18 Stat. 474), which provided for the admission of Colorado and which was the last enabling act before those cited above. Nor do provisions of this type seem to have been included in any of the earlier enabling acts.

Sincerely,

THEODORE F. STEVENS,
Assistant to the Secretary.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., February 25, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.

MY DEAR MR. CHAIRMAN: Your request for comment on S. 50, a bill to provide for the admission of the State of Hawaii into the Union, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

With regard to the military aspects of statehood for Hawaii, this bill provides for retention of ownership by the United States in all lands held for military purposes. The bill further provides that concurrent jurisdiction over such lands is to be vested in the State of Hawaii and the United States with the reservation to the Congress of the authority, by legislative process, to take exclusive jurisdiction on behalf of the United States. These provisions are satisfactory to this Department.

At the present time the military departments are occupying about 114,000 acres of ceded land under Territorial license. As there is no provision in S. 50 for the continued use of this land without cost, this Department could be deprived of the free use of such land. Following the hearings before the House Committee on Interior and Insular Affairs, H.R. 4221 was introduced. Section 3(d) of that bill reads:

"Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States."

This provision of H.R. 4221 would protect the interests of the Department of Defense and, at the same time, would permit the necessary time for the determination of the land needs of the Department by providing for a 5-year period in which to withdraw for Federal use that land which is being used by the military departments but which has not actually been withdrawn on the date on which Hawaii is admitted to the Union. It is, therefore, recommended that S. 50 be amended to include the above-quoted language.

As a technical matter, it is recommended that there be an explicit showing in any bill enacted that not only the Submerged Land Act of 1953, but also the Outer Continental Shelf Lands Act will apply to the State of Hawaii.

Additionally, section 16(b) of S. 50 retains jurisdiction in the United States over lands controlled or owned by the United States and held for defense or Coast Guard purposes (line 20, p. 20), and provides that such jurisdiction shall vest in the United States only so long as the particular land involved "is owned" by the United States (line 20, p. 21). The quoted words should conform with the preceding language and read "is controlled or owned".

If amended in accordance with the foregoing, the needs of the services would be adequately safeguarded and the Department of the Navy, on behalf of the Department of Defense, would support the provisions of S. 50.

This report has been coordinated with the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report on S. 50 to the Congress.

Sincerely yours,

R. L. KIBBE,
Captain, U.S. Navy, Deputy Chief of Legislative Liaison
(For the Secretary of the Navy).

DEPARTMENT OF AGRICULTURE,
Washington, D.C.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR SENATOR MURRAY: This is in reply to your letter of January 14, 1959, requesting a report on S. 50, a bill to provide for the admission of the State of Hawaii into the Union.

The Department's overall position on this bill may best be set forth by quoting from the President's state of the Union message, dated January 9, 1959:

"May I voice the hope that before my term of office is ended I shall have the opportunity and the great satisfaction of seeing the 50th star in our national flag."

We have no comments on the specific language of the bill because it does not directly affect this Department.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
Washington, D.C., February 11, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in response to your letter of January 26, 1959, requesting a report with respect to a bill, S. 50, to provide for the admission of the State of Hawaii into the Union.

The only provisions of this bill that directly affect the Federal Reserve System are those contained in section 17 which would amend section 2 of the Federal Reserve Act to provide (1) that when the State of Hawaii or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors so as to include such State, and (2) that national banks in any new State shall become members of the Federal Reserve System within 90 days after admission of such State into the Union.

These provisions were recommended by the Board of Governors for inclusion in both the Alaskan and Hawaiian statehood bills when such bills were under consideration by the Congress in previous years. The Board hopes, therefore, that these or similar provisions will be retained in the present bill.

As a matter of drafting, it may be noted that the second part of the proposed amendment to section 2 of the Federal Reserve Act, regarding membership in the Federal Reserve System of national banks in a new State, is identical with an amendment which was contained in the Alaskan Statehood Act approved July 7, 1958, and that, therefore, this amendment is no longer necessary. It may also be noted that the first part of the proposed amendment to section 2 of the Federal Reserve Act would have the effect of changing a sentence added to the law by the Alaskan Statehood Act, regarding the readjustment of Federal Reserve districts to include the State of Alaska, so as to refer to "the State of Hawaii or any State" instead of "the State of

Alaska." It would be sufficient, therefore, if the present bill merely amended the next to the last sentence of the first paragraph of section 2 of the Federal Reserve Act to substitute for the words "the State of Alaska" the words "the State of Alaska or Hawaii."

Sincerely yours,

WM. McC. MARTIN, Jr.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, S. 50, as reported, are shown as follows (existing law proposed to be repealed is enclosed in black brackets, additions to existing law are italicized):

TITLE 18, UNITED STATES

§ 3771. PROCEDURE TO AND INCLUDING VERDICT.

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of courts in the United States district courts, in the district courts for the district of the Canal Zone and the Virgin Islands, in the [Supreme Courts of Hawaii and Puerto Rico] *Supreme Court of Puerto Rico*, and in proceedings before United States commissioners. Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May, and until the expiration of ninety days after they have been thus reported. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

§ 3772. PROCEDURE AFTER VERDICT.

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of practice and procedure with respect to any or all proceedings after verdict, or finding of guilt by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt in the United States district courts, in the district courts for the District of the Canal Zone, and the Virgin Islands, in the [Supreme Courts of Hawaii and Puerto Rico] *Supreme Court of Puerto Rico*, in the United States courts of appeals, in the United States Court of Appeals for the District of Columbia, and in the Supreme Court of the United States. This section shall not give the Supreme Court power to abridge the right of the accused to apply for withdrawal of a plea of guilty, if such application be made within ten days after entry of such plea, and before sentence is imposed.

The right of appeal shall continue in those cases in which appeals are authorized by law, but the rules made as herein authorized may prescribe the times for and manner of taking appeals and applying

for writs of certiorari and preparing records and bills of exceptions and the conditions on which supersedeas or bail may be allowed.

The Supreme Court may fix the dates when such rules shall take effect and the extent to which they shall apply to proceedings then pending, and after they become effective all laws in conflict therewith shall be of no further force.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

TITLE 28, UNITED STATES CODE

§ 91. HAWAII.

Hawaii constitutes one judicial district which includes the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, *Palmyra Island*, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island: *Provided*, That the inclusion of Canton and Enderbury Islands in such judicial district shall in no way be construed to be prejudicial to the claims of the United Kingdom to said Islands in accordance with the agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common.

Court shall be held at Honolulu.

§ 133. APPOINTMENT AND NUMBER OF DISTRICT JUDGES.

The President shall appoint, by and with the advice and consent of the Senate, district judges for the several judicial districts, as follows:

* * * * *

【Only citizens of the Territory of Hawaii who have resided therein for at least three years next preceding shall be eligible for appointment as district judges for the district of Hawaii.】

§ 134. TENURE AND RESIDENCE OF DISTRICT JUDGES.

(a) The district judges, except in 【Hawaii and】 Puerto Rico, shall hold office during good behavior. The district judges in 【Hawaii and】 Puerto Rico shall hold office for terms of 【six and】 eight years, 【respectively,】 and until their successors are appointed and qualified.

* * * * *

§ 373. JUDGES IN TERRITORIES AND POSSESSIONS.

Any judge of the 【United States district courts for the Districts of Hawaii or Puerto Rico,】 *United States District Court for the District of Puerto Rico*, the United States District Court for the District of the Canal Zone, the District Court of Guam or the District Court of the Virgin Islands 【and any justice of the Supreme Court of the Territory of Hawaii】 who resigns, retires, or fails of reappointment or is removed by the President of the United States upon the sole ground of mental or physical disability, after attaining the age of seventy years and after serving as judge of one or more of such courts, at least sixteen years, continuously or otherwise, shall continue to receive the salary which he received when he relinquished office.

* * * * *

§ 451. DEFINITIONS.

As used in this title:

The term "court of the United States" includes the Supreme Court of the United States, courts of appeals, district courts constituted by chapter 5 of this title, [including the district courts of the United States for the districts of Hawaii and Puerto Rico,] *including the United States District Court for the District of Puerto Rico*, the Court of Claims, the Court of Customs and Patent Appeals, the Customs Court and any court created by Act of Congress the judges of which are entitled to hold office during good behavior.

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§ 501. APPOINTMENT OF UNITED STATES ATTORNEYS.

The President shall appoint, by and with the advice and consent of the Senate, a United States attorney for each judicial district.

[Only citizens of the Territory of Hawaii who have resided therein for at least three years next preceding shall be eligible for appointment as United States attorney for the district of Hawaii.]

§ 504. TENURE AND OATH OF OFFICE; REMOVAL.

(a) The United States attorney for each judicial district shall be appointed for a term of four years[, except in the district of Hawaii, where the term shall be six years]. Upon the expiration of his term a United States attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

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§ 541. APPOINTMENT, RESIDENCE AND TENURE OF MARSHALS

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(c) Each marshal shall be appointed for a term of four years[, except in the district of Hawaii where the term shall be six years]. Upon the expiration of his term a marshal shall continue to perform the duties of his office until his successor is appointed and qualifies, unless sooner removed by the President.

[(d) Only citizens of the Territory of Hawaii who have resided therein at least three years next preceding shall be eligible for appointment as United States marshal for the district of Hawaii.]

§ 1252. DIRECT APPEALS FROM DECISIONS INVALIDATING ACTS OF CONGRESS

Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and any court of record of [Hawaii and] Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies, or any officer or employee thereof, as such officer or employee, is a party.

* * * * *

§ 1293. FINAL DECISIONS OF PUERTO RICO AND HAWAII SUPREME COURTS

The courts of appeals for the [First and Ninth Circuits] *First Circuit* shall have jurisdiction of appeals from all final decisions of the [Supreme Courts of Puerto Rico and Hawaii, respectively] *Supreme*

Court of Puerto Rico, in all cases involving the Constitution, laws or treaties of the United States or any authority exercised thereunder, in all habeas corpus proceedings, and in all other civil cases where the value in controversy exceeds \$5,000, exclusive of interest and costs.

§ 1294. CIRCUITS IN WHICH DECISIONS REVIEWABLE

Appeals from reviewable decisions of the district and territorial courts shall be taken to the courts of appeals as follows:

(1) From a district court of the United States to the court of appeals for the circuit embracing the district;

(2) From the United States District Court for the District of the Canal Zone, to the Court of Appeals for the Fifth Circuit;

(3) From the District Court of the Virgin Islands, to the Court of Appeals for the Third Circuit;

[(4) From the Supreme Court of Hawaii, to the Court of Appeals for the Ninth Circuit;]

[(5)] (4) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit.

[(6)] (5) From the District Court of Guam to the Court of Appeals for the Ninth Circuit.

ACT OF APRIL 30, 1900 (31 STAT. 159), AS AMENDED (48 U.S.C., SECS. 645, 536, 539)

[SEC. 86. The laws of the United States relating to removal of causes, appeals, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii.]

* * * * *

[SEC. 92. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, the basic compensation shall be at the rate of \$19,000 per annum; the secretary of the Territory, \$5,400. The governor shall receive annually from the United States, in addition to his salary, (1) the sum of \$1,000 for stationery, postage, and incidentals, and (2) his traveling expenses while absent from the capital on official business. The governor is authorized to employ a private secretary who shall receive an annual salary of \$3,000, to be paid by the United States.]

FEDERAL RESERVE ACT (38 STAT. 251), AS AMENDED BY THE ACT OF JULY 7, 1958, SEC. 19 (72 STAT. 339, 350)

SEC. 2. As soon as practicable, the Secretary of the Treasury, the Secretary of Agriculture and the Comptroller of the Currency, acting as "The Reserve Bank Organization Committee," shall designate not less than eight nor more than twelve cities to be known as Federal Reserve cities, and shall divide the continental United States, excluding Alaska, into districts, each district to contain only one of such Federal Reserve cities. The determination of said organization committee shall not be subject to review except by the Board of Governors of the Federal Reserve System when organized: *Provided*, That the districts shall be apportioned with due regard to the convenience and

customary course of business and shall not necessarily be coterminous with any State or States. The districts thus created may be readjusted and new districts may from time to time be created by the Board of Governors of the Federal Reserve System, not to exceed twelve in all. Such districts shall be known as Federal Reserve districts and may be designated by number. When the State of Alaska or *Hawaii* is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section.

ACT OF MAY 29, 1928 (45 STAT. 997), AS AMENDED (48 U.S.C. 634a)

【The following salaries shall be paid to the several judges hereinafter mentioned, namely:

【To the chief justice of the Supreme Court of the Territory of Hawaii, \$12,250 per year, and to each of the associate justices thereof the sum of \$11,900 per year.

【To each of the judges of the circuit courts of the Territory of Hawaii the sum of \$9,375.

【All of said salaries shall be paid in equal monthly installments.】

MERCHANT MARINE ACT, 1936 (49 STAT. 1999), AS AMENDED (46 U.S.C., SECS. 1156, 1175, 1204)

SEC. 506. Every owner of a vessel for which a construction-differential subsidy has been paid shall agree that the vessel shall be operated exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal parts of the United States, or on a voyage in foreign trade on which the vessel may stop at *the State of Hawaii*, or an island possession or island territory of the United States, and that if the vessel is operated in the domestic trade on any of the above-enumerated services, he will pay annually to the Secretary that proportion of one-twentieth of the construction-differential subsidy paid for such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year. * * *

* * * * *

SEC. 605. (a) No operating-differential subsidy shall be paid for the operation of any vessel on a voyage on which it engages in coastwise or intercoastal trade: *Provided, however*, That such subsidy may be paid on a round-the-world voyage or a round voyage from the west

coast of the United States to a European port or ports or a round voyage from the Atlantic coast to the Orient which includes intercoastal ports of the United States or a voyage in foreign trade on which the vessel may stop at *the State of Hawaii*, or an island possession or island territory of the United States, and if the subsidized vessel earns any gross revenue on the carriage of mail, passengers, or cargo by reason of such coastal or intercoastal trade the subsidy payment for the entire voyage shall be reduced by an amount which bears the same ratio to the subsidy otherwise payable as such gross revenue bears to the gross revenue derived from the entire voyage. No vessel operating on the Great Lakes or on the inland waterways of the United States shall be considered for the purposes of this chapter to be operating in foreign trade.

* * * * *

SEC. 714. * * *

Such charter shall provide for operation of the vessel exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal ports of the United States, or on a voyage in foreign trade on which the vessel may stop at *the State of Hawaii*, or an island possession or island Territory of the United States, and if the vessel is operated in the domestic trade on any of the above-enumerated services the charterer will pay annually to the Secretary that proportion of one-twentieth of the difference between the domestic and foreign cost of such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year.

ACT OF JUNE 15, 1950 (64 STAT. 217; 48 U.S.C., SEC. 644a)

The jurisdiction of the United States District Court for the District of Hawaii is hereby extended to all civil and criminal cases arising on or within the Midway Island, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, *Palmyra Island*, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement. All civil acts and deeds consummated and taking place on any of these islands or in the waters adjacent thereto, and all offenses and crimes committed thereon, or on or in the waters adjacent thereto, shall be deemed to have been consummated or committed on the high seas on board a merchant vessel or other vessel belonging to the United States and shall be adjudicated and determined or adjudged and punished according to the laws of the United States relating to such civil acts or

offenses on such ships or vessels on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

The laws of the United States relating to juries and jury trials shall be applicable to the trial of such cases before said district court.

IMMIGRATION AND NATIONALITY ACT (66 STAT. 163; 8 U.S.C. CH. 12)

SECTION 101. (a) As used in this Act—

*	*	*	*	*	*	*
(36)	The term “State”	includes (except as used in section 310(a) of title III)	【Hawaii,】	the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States.		

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SEC. 212.

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(d)

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(7) The provisions of subsection (a) of this section, except paragraphs (20), (21), and (26), shall be applicable to any alien who shall leave 【Hawaii,】 Guam, Puerto Rico, or the Virgin Islands of the United States, and who seeks to enter the continental United States or any other place under the jurisdiction of the United States【: *Provided*, That persons who were admitted to Hawaii under the last sentence of section 8(a)(1) of the Act of March 24, 1934, as amended (48 Stat. 456), and aliens who were admitted to Hawaii as nationals of the United States shall not be excepted by this paragraph from the application of paragraphs (20) and (21) of subsection (a) of this section, unless they belong to a class declared to be nonquota immigrants under the provisions of section 101(a)(27) of this Act, other than subparagraph (C) thereof, or unless they were admitted to Hawaii with an immigration visa】. * * *

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SEC. 310. (a) Exclusive jurisdiction to naturalize persons as citizens of the United States is hereby conferred upon the following specified courts: District courts of the United States now existing, or which may hereafter be established by Congress in any State, District Court of the United States 【for the Territory of Hawaii, and】 for the District of Columbia and for Puerto Rico, the District Court of the Virgin Islands of the United States, and the District Court of Guam; also all courts of record in any State or Territory now existing, or which may hereafter be created, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited. * * *

ACT OF SEPTEMBER 7, 1957 (71 STAT. 629)

SEC. 3. The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the [Territory] *State* of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or between Alaska and the United States) within the Territory of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this Act.

APPENDIX

APPENDIX A THE CONSTITUTION OF THE STATE OF HAWAII

PREAMBLE

We, the people of the State of Hawaii, grateful for Divine Guidance, and mindful of our Hawaiian heritage, reaffirm our belief in a government of the people, by the people and for the people, and with an understanding heart toward all the peoples of the earth, do hereby ordain and establish this constitution for the State of Hawaii.

FEDERAL CONSTITUTION ADOPTED

The Constitution of the United States of America is adopted on behalf of the people of the State of Hawaii.

ARTICLE I

BILL OF RIGHTS

Political Power

SECTION 1. All political power of this State is inherent in the people; and the responsibility for the exercise thereof rests with the people. All government is founded on this authority.

Rights of Man

SECTION 2. All persons are free by nature and are equal in their inherent and inalienable rights. Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property. These rights cannot endure unless the people recognize their corresponding obligations and responsibilities.

Freedom of Religion, Speech, Press, Assembly and Petition

SECTION 3. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

Due Process and Equal Protection

SECTION 4. No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of his civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

Searches and Seizures

SECTION 5. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

**Rights of
Citizens**

SECTION 6. No citizen shall be disfranchised, or deprived of any of the rights or privileges secured to other citizens, unless by the law of the land.

**Enlistment,
Segregation**

SECTION 7. No citizen shall be denied enlistment in any military organization of this State nor be segregated therein because of race, religious principles or ancestry.

**Indictment,
Trial by Jury,
Criminal Cases**

SECTION 8. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy; nor shall any person be compelled in any criminal case to be a witness against himself.

**Bail, Excessive
Punishment**

SECTION 9. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

**Trial by Jury,
Civil Cases**

SECTION 10. In suits at common law where the value in controversy shall exceed one hundred dollars, the right of trial by jury shall be preserved. The legislature may provide for a verdict by not less than three-fourths of the members of the jury.

**Rights of
Accused**

SECTION 11. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, or of such other district to which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

Jury Service

SECTION 12. No person shall be disqualified to serve as a juror because of sex.

**Habeas Corpus
and Suspension
of Laws**

SECTION 13. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

The power of suspending the privilege of the writ of habeas corpus, and the laws or the execution thereof, shall never be exercised except by the legislature, or by authority derived from it to be exercised in such particular cases only as the legislature shall expressly prescribe.

**Supremacy of
Civil Power**

SECTION 14. The military shall be held in strict subordination to the civil power.

**Right to Bear
Arms**

SECTION 15. A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

**Quartering of
Soldiers**

SECTION 16. No soldier or member of the militia shall, in time of peace, be quartered in any house, without the consent of the owner or occupant, nor in time of war, except in a manner prescribed by law.

**Imprisonment
For Debt**

SECTION 17. There shall be no imprisonment for debt.

Eminent Domain

SECTION 18. Private property shall not be taken for public use without just compensation.

**Limitations on
Special Privileges**

SECTION 19. The power of the State to act in the general welfare shall never be impaired by the making of any irrevocable grant of special privileges or immunities.

Construction

SECTION 20. The enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.

ARTICLE II**SUFFRAGE AND ELECTIONS****Qualifications**

SECTION 1. Every citizen of the United States, who shall have attained the age of twenty years, have been a resident of this State not less than one year next preceding the election and be a voter registered in accordance with law, shall be qualified to vote in any state or local election. No person shall be qualified to vote unless he is also able, except for physical disability, to speak, read and write the English or Hawaiian language.

Disqualifications

SECTION 2. No person who is non compos mentis and no person convicted of felony, unless pardoned and restored to his civil rights, shall be qualified to vote.

Residence

SECTION 3. No person shall be deemed to have gained or lost residence simply because of his presence or absence while employed in the service of the United States, or while engaged in navigation or while a student at any institution of learning.

**Registration,
Voting**

SECTION 4. The legislature shall provide for the registration of voters and for absentee voting; and shall prescribe the method of voting at all elections. Secrecy of voting shall be preserved.

Elections

SECTION 5. General elections shall be held on the first Tuesday after the first Monday in November in all even-numbered years. Special elections may be held in accordance with law. Contested elections shall be determined by a court of competent jurisdiction in such manner as shall be provided by law.

ARTICLE III

THE LEGISLATURE

**Legislative
Power**

SECTION 1. The legislative power of the State shall be vested in a legislature, which shall consist of two houses, a senate and a house of representatives. Such power shall extend to all rightful subjects of legislation not inconsistent with this constitution or the Constitution of the United States.

**Senate; Districts;
Composition**

SECTION 2. The senate shall be composed of twenty-five members, who shall be elected by the qualified voters of the respective senatorial districts. The districts, and the number of senators to be elected from each, shall be as follows:

First senatorial district: that portion of the island of Hawaii known as Puna, Hilo and Hamakua, five;

Second senatorial district: that portion of the island of Hawaii known as Kau, Kona and Kohala, two;

Third senatorial district: the islands of Maui, Molokai, Lanai and Kahoolawe, five;

Fourth senatorial district: that portion of the island of Oahu lying east and south of Nuuanu Street and Pali Road and the upper ridge of the Koolau Range from the Nuuanu Pali to Makapuu Point and all other islands not specifically enumerated, five;

Fifth senatorial district: that portion of the island of Oahu lying west and north of the fourth senatorial district, five; and

Sixth senatorial district: the islands of Kauai and Niihau, three.

**House of
Representatives;
Composition**

SECTION 3. The house of representatives shall be composed of fifty-one members, who shall be elected by the qualified voters of the respective representative districts. Until the next reapportionment, the representative districts and the number of representatives to be elected from each shall be as set forth in the Schedule.

**Reapportionment
of House**

SECTION 4. On or before June 1 of the year 1959, and of each tenth year thereafter, the governor shall reapportion the members of the house of representatives in the following manner: The total number of representatives shall first be reapportioned among four basic areas, namely, (1) the island of Hawaii, (2) the islands of Maui, Molokai, Lanai and Kahoolawe, (3) the island of Oahu and all other islands not specifically enumerated, and (4) the islands of Kauai and Niihau, on the basis of the number of voters registered at the last preceding general election in each of such basic areas and computed by the method known as the method of equal proportions, no basic area to receive less than one member. Upon the determination of the total number of representatives to which each basic area is entitled, such total shall be reapportioned among the one or more representative

districts within each basic area on the basis of the number of voters registered at the last preceding general election within each of such representative districts and computed by the method known as the method of equal proportions, no representative district to receive less than one member. Upon any reapportionment, should the total number of voters registered in any representative district be less than one-half of the quotient obtained by dividing the total number of voters registered in the State by the total number of members to which the house is entitled, then, as part of such reapportionment, the basic area within which such representative district lies shall be redistricted by the governor in such manner that the total number of voters registered in each new representative district therein shall be more than one-half of such quotient.

The governor shall thereupon issue a proclamation showing the results of such reapportionment, and such reapportionment shall be effective for the election of members to such house for the next five succeeding legislatures.

Mandamus

Original jurisdiction is hereby vested in the supreme court of the State to be exercised on the application of any registered voter, made within thirty days following the date specified above, to compel, by mandamus or otherwise, the governor to perform the above duty; and made within thirty days following the date of such proclamation, to compel, by mandamus or otherwise, the correction of any error made in such reapportionment.

Election of Members; Term

SECTION 5. The members of the legislature shall be elected at general elections. The term of office of members of the house of representatives shall be two years beginning with their election and ending on the day of the next general election, and the term of office of members of the senate shall be four years beginning with their election and ending on the day of the second general election after their election.

Vacancies

SECTION 6. Any vacancy in the legislature shall be filled for the unexpired term in such manner as may be prescribed by law, or, if no provision be made by law, by appointment by the governor for the unexpired term.

Qualifications of Members

SECTION 7. No person shall be eligible to serve as a member of the senate unless he shall have attained the age of thirty years, have been a resident of the State for not less than three years and be a qualified voter of the senatorial district from which he seeks to be elected. No person shall be eligible to serve as a member of the house of representatives unless he shall have attained the age of twenty-five years, have been a resident of the State for not less than three years and be a qualified voter of the representative district from which he seeks to be elected.

**Privileges
of Members**

SECTION 8. No member of the legislature shall be held to answer before any other tribunal for any statement made or action taken in the exercise of his legislative functions; and members of the legislature shall, in all cases except felony or breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same.

**Disqualifications
of Members**

SECTION 9. No member of the legislature shall hold any other public office under the State, nor shall he, during the term for which he is elected or appointed, be elected or appointed to any public office or employment which shall have been created, or the emoluments whereof shall have been increased, by legislative act during such term. The term "public office", for the purposes of this section, shall not include notaries public, reserve police officers or officers of emergency organizations for civilian defense or disaster relief. The legislature may prescribe further disqualifications.

**Salary and
Allowances**

SECTION 10. The members of the legislature shall receive such salary and allowances as may be prescribed by law, but any increase or decrease in the amount thereof shall not apply to the legislature which enacted the same. No salary shall be payable when the senate alone is convened in special session, or when the legislature convenes in special session pursuant to Section 17 of this article.

Sessions

SECTION 11. Regular sessions of the legislature shall be held annually. The governor may convene the legislature, or the senate alone, in special session. All sessions shall be held at the capital of the State. In case the capital shall be unsafe, the governor may direct that any session shall be held at some other place. Regular sessions in odd numbered years shall be known as "general sessions" and regular sessions in even numbered years shall be known as "budget sessions".

**Budget
Sessions**

At budget sessions the legislature shall be limited to the consideration and enactment of the general appropriations bill for the succeeding fiscal year and bills to authorize proposed capital expenditures, revenue bills necessary therefor, urgency measures deemed necessary in the public interest, bills calling elections, proposed constitutional amendments and bills to provide for the expenses of such session and the special session to be convened thereafter in accordance with the provisions of Section 17 of this article. The legislature may also consider and act upon matters relating to the impeachment or removal of officers. No urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in one section thereof and until such section shall have been first approved by each house. The approval of such section and the final passage of such measure in each house shall require a two-thirds vote of

all the members to which such house is entitled, taken by ayes and noes and entered upon its journal.

**Sessions;
Commencement;
Duration**

Regular sessions shall commence at 10:00 o'clock a. m., on the third Wednesday in February. General sessions shall be limited to a period of sixty days and budget sessions and special sessions to a period of thirty days, but the governor may extend any session for not more than thirty days. Sundays and holidays shall be excluded in computing the number of days of any session.

Adjournment

SECTION 12. Neither house shall adjourn during any session of the legislature for more than three days, or sine die, without the consent of the other.

**Organization;
Discipline;
Rules;
Procedure**

SECTION 13. Each house shall be the judge of the elections, returns and qualifications of its own members and shall have, for misconduct, disorderly behavior or neglect of duty of any member, power to punish such member by censure or, upon a two-thirds vote of all the members to which such house is entitled, by suspension or expulsion of such member. Each house shall choose its own officers, determine the rules of its proceedings and keep a journal. The ayes and noes of the members on any question shall, at the desire of one-fifth of the members present, be entered upon the journal.

Twenty days after a bill has been referred to a committee in either house, the same may be recalled from such committee by the affirmative vote of one-third of the members to which such house is entitled.

**Quorum;
Compulsory
Attendance**

SECTION 14. A majority of the number of members to which each house is entitled shall constitute a quorum of such house for the conduct of ordinary business, of which quorum a majority vote shall suffice; but the final passage of a bill in each house shall require the vote of a majority of all the members to which such house is entitled, taken by ayes and noes and entered upon its journal. A smaller number than a quorum may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

**Bills;
Enactment**

SECTION 15. No law shall be passed except by bill. Each law shall embrace but one subject, which shall be expressed in its title. The enacting clause of each law shall be, "Be it enacted by the legislature of the State of Hawaii."

**Passage of
Bills**

SECTION 16. No bill shall become law unless it shall pass three readings in each house, on separate days. Every bill when passed by the house in which it originated, or in which amendments thereto shall have originated, shall immediately be certified by the presiding officer and clerk and sent to the other house for consideration.

**Approval or
Veto**

SECTION 17. Every bill which shall have passed the legislature shall be certified by the presiding officers and clerks of both houses and shall thereupon be presented to the governor. If he approves it, he shall sign it and it shall become law. If the governor does not approve such bill, he may return it, with his objections to the legislature. He may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same; but he shall veto other bills, if at all, only as a whole.

The governor shall have ten days to consider bills presented to him ten or more days before the adjournment of the legislature sine die, and if any such bill is neither signed nor returned by the governor within that time, it shall become law in like manner as if he had signed it.

**Reconsideration
After
Adjournment**

The governor shall have forty-five days, after the adjournment of the legislature sine die, to consider bills presented to him less than ten days before such adjournment, or presented after adjournment, and any such bill shall become law on the forty-fifth day unless the governor by proclamation shall have given ten days' notice to the legislature that he plans to return such bill with his objections on that day. The legislature may convene at or before noon on the forty-fifth day in special session, without call, for the sole purpose of acting upon any such bill returned by the governor. In case the legislature shall fail to so convene, such bill shall not become law. Any such bill may be amended to meet the governor's objections and, if so amended and passed, only one reading being required in each house for such passage, it shall be presented again to the governor, but shall become law only if he shall sign it within ten days after presentation.

Sundays and holidays shall be excluded in computing the number of days designated in this section.

**Procedures
Upon Veto**

SECTION 18. Upon the receipt of a veto message from the governor, each house shall enter the same at large upon its journal and proceed to reconsider the vetoed bill, or the item or items vetoed, and again vote upon such bill, or such item or items, by ayes and noes, which shall be entered upon its journal. If after such reconsideration such bill, or such item or items, shall be approved by a two-thirds vote of all members to which each house is entitled, the same shall become law.

**Punishment of
Non-Members**

SECTION 19. Each house may punish by fine, or by imprisonment not exceeding thirty days, any person not a member of either house who shall be guilty of disrespect of such house by any disorderly or contemptuous behavior in its presence or that of any committee thereof; or who shall, on account of the exercise of any legislative function, threaten harm to the body or estate of any of the members of such house; or who shall assault, arrest or detain any witness or other person ordered to

attend such house, on his way going to or returning therefrom; or who shall rescue any person arrested by order of such house.

Any person charged with such an offense shall be informed in writing of the charge made against him, and have an opportunity to present evidence and be heard in his own defense.

Impeachment

SECTION 20. The governor and lieutenant governor, and any appointive officer for whose removal the consent of the senate is required, may be removed from office upon conviction of impeachment for such causes as may be provided by law.

The house of representatives shall have the sole power of impeachment of the governor and lieutenant governor and the senate the sole power to try such impeachments, and no such officer shall be convicted without the concurrence of two-thirds of the members of the senate. When sitting for that purpose, the members of the senate shall be on oath or affirmation and the chief justice shall preside. Subject to the provisions of this paragraph, the legislature may provide for the manner and procedure of removal by impeachment of such officers.

The legislature shall by law provide for the manner and procedure of removal by impeachment of the appointive officers.

Judgments in cases of impeachment shall not extend beyond removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the State; but the person convicted may nevertheless be liable and subject to indictment, trial, judgment and punishment according to law.

ARTICLE IV

THE EXECUTIVE

Establishment of The Executive

SECTION 1. The executive power of the State shall be vested in a governor.

The governor shall be elected by the qualified voters of this State at a general election. The person receiving the highest number of votes shall be the governor. In case of a tie vote, the selection of the governor shall be determined in accordance with law.

The term of office of the governor shall begin at noon on the first Monday in December next following his election and end at noon on the first Monday in December, four years thereafter.

No person shall be eligible to the office of governor unless he shall be a qualified voter, have attained the age of thirty-five years and have been a citizen of the United States for twenty years and a resident of this State for five years next preceding his election.

The governor shall not hold any other office or employment of profit under the State or the United States during his term of office.

**Lieutenant
Governor**

SECTION 2. There shall be a lieutenant governor, who shall have the same qualifications as the governor. He shall be elected at the same time, for the same term, and in the same manner, as the governor. He shall perform such duties as may be prescribed by law.

**Compensation,
Governor,
Lieutenant
Governor**

SECTION 3. The compensation of the governor and of the lieutenant governor shall be prescribed by law, but shall not be less than eighteen thousand dollars, and twelve thousand dollars, respectively, per annum. Such compensation shall not be increased or diminished for their respective terms, unless by general law applying to all salaried officers of the State. When the lieutenant governor succeeds to the office of governor, he shall receive the compensation for that office.

**Succession to
Governorship;
Absence or
Disability of
Governor**

SECTION 4. When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the absence of the governor from the State, or his inability to exercise and discharge the powers and duties of his office, such powers and duties shall devolve upon the lieutenant governor during such absence or disability.

When the office of lieutenant governor is vacant, or in the event of the absence of the lieutenant governor from the State, or his inability to exercise and discharge the powers and duties of his office, such powers and duties shall devolve upon such officers in such order of succession as may be provided by law.

In the event of the impeachment of the governor or of the lieutenant governor, he shall not exercise the powers of his office until acquitted.

**Executive
Powers**

SECTION 5. The governor shall be responsible for the faithful execution of the laws. He shall be commander in chief of the armed forces of the State and may call out such forces to execute the laws, suppress or prevent insurrection or lawless violence or repel invasion. He shall, at the beginning of each session, and may, at other times, give to the legislature information concerning the affairs of the State and recommend to its consideration such measures as he shall deem expedient.

The governor may grant reprieves, commutations and pardons, after conviction, for all offenses, subject to regulation by law as to the manner of applying for the same. The legislature may, by general law, authorize the governor to grant pardons before conviction, to grant pardons for impeachment and to restore civil rights denied by reason of conviction of offenses by tribunals other than those of this State.

The governor shall appoint an administrative director to serve at his pleasure.

**Executive and
Administrative
Offices and
Departments**

SECTION 6. All executive and administrative offices, departments and instrumentalities of the state government and their respective functions, powers and duties shall be allocated by law among and within not more than twenty principal departments in such manner as to group the same according to major purposes so far as practicable. Temporary commissions or agencies for special purposes may be established by law and need not be allocated within a principal department.

Each principal department shall be under the supervision of the governor and, unless otherwise provided in this constitution or by law, shall be headed by a single executive. Such single executive shall be nominated and, by and with the advice and consent of the senate, appointed by the governor and he shall hold office for a term to expire at the end of the term for which the governor was elected. The governor may, by and with the advice and consent of the senate, remove such single executive.

Whenever a board, commission or other body shall be the head of a principal department of the state government, the members thereof shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. The term of office and removal of such members shall be as prescribed by law. Such board, commission or other body may appoint a principal executive officer, who, when authorized by law, may be ex officio a voting member thereof, and who may be removed by a majority vote of the members appointed by the governor.

The governor shall nominate and, by and with the advice and consent of the senate, appoint all officers for whose election or appointment provision is not otherwise made by this constitution or by law. The legislature may provide for the suspension or removal for cause, by the governor, of any officer for whose removal the consent of the senate is required by this constitution.

When the senate is not in session and a vacancy occurs in any office, appointment to which requires the confirmation of the senate, the governor may fill the office by granting a commission which shall, unless such appointment is confirmed, expire at the end of the next session of the senate; but the person so appointed shall not be eligible for another interim appointment to such office if the appointment shall have failed of confirmation by the senate.

No person who has been nominated for appointment to any office and whose appointment has not received the consent of the senate shall be eligible to an interim appointment thereafter to such office.

All officers appointed under the provisions of this section shall be citizens of this State and shall have been residents of the State for at least three years next preceding their appointment.

ARTICLE V

THE JUDICIARY

Judicial Power

SECTION 1. The judicial power of the State shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish. The several courts shall have original and appellate jurisdiction as provided by law.

Supreme Court

SECTION 2. The supreme court shall consist of a chief justice and four associate justices. When necessary, the chief justice shall assign a judge or judges of a circuit court to serve temporarily on the supreme court. In case of a vacancy in the office of chief justice, or if he is ill, absent or otherwise unable to serve, an associate justice designated in accordance with the rules of the supreme court shall serve temporarily in his stead.

Appointment of Judges

SECTION 3. The governor shall nominate and, by and with the advice and consent of the senate, appoint the justices of the supreme court and the judges of the circuit courts. No nomination shall be sent to the senate, and no interim appointment shall be made when the senate is not in session, until after ten days' public notice by the governor.

Qualifications

No justice or judge shall hold any other office or position of profit under the State or the United States. No person shall be eligible to such office who shall not have been admitted to practice law before the supreme court of this State for at least ten years. Any justice or judge who shall become a candidate for an elective office shall thereby forfeit his office.

Tenure

The term of office of a justice of the supreme court shall be seven years and that of a judge of a circuit court shall be six years. They shall receive for their services such compensation as may be prescribed by law, which shall not be diminished during their respective terms of office, unless by general law applying to all salaried officers of the State. They shall be retired upon attaining the age of seventy years. They shall be included in any retirement law of the State. They shall be subject to removal from office upon the concurrence of two-thirds of the membership of each house of the legislature, sitting in joint session, for such causes and in such manner as may be provided by law.

Compensation

Retirement

Removal

Retirement for Incapacity

SECTION 4. Whenever a commission or agency, authorized by law for such purpose, shall certify to the governor that any justice of the supreme court or judge of a circuit court appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the governor shall appoint a board of three persons to inquire into the circumstances and on their recommendation the governor may retire the justice or judge from office.

Administration

SECTION 5. The chief justice of the supreme court shall be the administrative head of the courts. He may assign judges from one circuit court to another for temporary service. With the approval of the supreme court he shall appoint an administrative director to serve at his pleasure.

Rules

SECTION 6. The supreme court shall have power to promulgate rules and regulations in all civil and criminal cases for all courts relating to process, practice, procedure and appeals, which shall have the force and effect of law.

ARTICLE VI**TAXATION AND FINANCE****Taxing Power
Inalienable**

SECTION 1. The power of taxation shall never be surrendered, suspended or contracted away.

**Taxation of
Non-Resident
Citizens**

SECTION 2. The land and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof.

Debt Limitations

SECTION 3. All bonds and other instruments of indebtedness issued by or on behalf of the State or a political subdivision thereof must be authorized by the legislature, and bonds and other instruments of indebtedness of a political subdivision must also be authorized by its governing body.

Sixty million dollars is established as the limit of the funded debt of the State at any time outstanding and unpaid. Bonds and other instruments of indebtedness in excess of such limit may be issued when authorized by a two-thirds vote of all the members to which each house of the legislature is entitled, provided such excess debt, at the time of authorization, would not cause the total of state indebtedness to exceed a sum equal to fifteen percent of the total of assessed values for tax rate purposes of real property in the State, as determined by the last tax assessment rolls pursuant to law.

Instruments of indebtedness to meet appropriations for any fiscal period in anticipation of the collection of revenues for such period or to meet casual deficits or failures of revenue, which shall be payable within one year, and bonds or other instruments of indebtedness to suppress insurrection, to repel invasion, to defend the State in war or to meet emergencies caused by disaster or act of God, may be issued by the State under legislative authorization without regard to any debt limit.

A sum equal to ten percent of the total of the assessed values for tax rate purposes of real property in any political subdivision, as determined by the last tax assessment rolls pursuant to law, is established as the limit of the funded debt of such political subdivision at any time outstanding and unpaid. The

aggregate, however, of such debts contracted by any political subdivision during a fiscal year shall not exceed two percent of the total of such assessed values in such political subdivision.

Instruments of indebtedness to meet appropriations for any fiscal period in anticipation of the collection of revenues for such period or to meet casual deficits or failures of revenue, which shall be payable within one year, may be issued by any political subdivision under authorization of law and of its governing body, without regard to the limits of debt hereinabove provided.

All bonds or other instruments of indebtedness for a term exceeding one year shall be in serial form maturing in substantially equal annual installments, the first installment to mature not later than five years from the date of the issue of such series, and the last installment not later than thirty-five years from the date of such issue. Interest and principal payments shall be a first charge on the general revenues of the State or political subdivision, as the case may be.

The provisions of this section shall not be applicable to indebtedness incurred under revenue bond statutes by a public enterprise of the State or political subdivision, or by a public corporation, when the only security for such indebtedness is the revenues of such enterprise or public corporation, or to indebtedness incurred under special improvement statutes when the only security for such indebtedness is the properties benefited or improved or the assessments thereon.

Nothing in this section shall prevent the refunding of any indebtedness at any time.

The Budget

SECTION 4. Within such time prior to the opening of each regular session as may be prescribed by law, the governor shall submit to the legislature a budget setting forth a complete plan of proposed general fund expenditures and anticipated receipts of the State for the ensuing fiscal period, together with such other information as the legislature may require. The budget shall be compiled in two parts, one setting forth all proposed operating expenditures for the ensuing fiscal period and the other, all capital improvements expenditures proposed to be undertaken during such period. The governor shall also, upon the opening of the session, submit bills to provide for such proposed expenditures and for any recommended additional revenues or borrowings by which the proposed expenditures are to be met. Such bills shall be introduced in the legislature upon the opening of each regular session.

Legislative Appropriations; Procedure

SECTION 5. No appropriation bill, except bills recommended by the governor for immediate passage, or to cover the expenses of the legislature, shall be passed on final reading until the bill authorizing operating expenditures for the ensuing fiscal period, to be known as the general appropriations bill, shall have been transmitted to the governor.

**Appropriations
for Private
Purposes
Prohibited**

SECTION 6. No tax shall be levied or appropriation of public money or property made, nor shall the public credit be used, directly or indirectly, except for a public purpose. No grant shall be made in violation of Section 3 of Article I of this constitution.

**Expenditure
Controls**

SECTION 7. Provision for the control of the rate of expenditures of appropriated state moneys, and for the reduction of such expenditures under prescribed conditions, shall be made by law.

Auditor

SECTION 8. The legislature, by a majority vote of each house in joint session, shall appoint an auditor who shall serve for a period of eight years and thereafter until a successor shall have been appointed. The legislature, by a two-thirds vote of the members in joint session, may remove the auditor from office at any time for cause. It shall be the duty of the auditor to conduct post-audits of all transactions and of all accounts kept by or for all departments, offices and agencies of the State and its political subdivisions, to certify to the accuracy of all financial statements issued by the respective accounting officers and to report his findings and recommendations to the governor and to the legislature at such times as shall be prescribed by law. He shall also make such additional reports and conduct such other investigations as may be directed by the legislature.

ARTICLE VII

LOCAL GOVERNMENT

**Political
Subdivisions;
Creation,
Powers**

SECTION 1. The legislature shall create counties, and may create other political subdivisions within the State, and provide for the government thereof. Each political subdivision shall have and exercise such powers as shall be conferred under general laws.

**Local
Self-Government;
Charter**

SECTION 2. Each political subdivision shall have power to frame and adopt a charter for its own self-government within such limits and under such procedures as may be prescribed by law.

**Taxation and
Finance**

SECTION 3. The taxing power shall be reserved to the State except so much thereof as may be delegated by the legislature to the political subdivisions, and the legislature shall have the power to apportion state revenues among the several political subdivisions.

**Mandates;
Accrued Claims**

SECTION 4. No law shall be passed mandating any political subdivision to pay any previously accrued claim.

Statewide Laws

SECTION 5. This article shall not limit the power of the legislature to enact laws of statewide concern.

ARTICLE VIII

PUBLIC HEALTH AND WELFARE

Public Health

SECTION 1. The State shall provide for the protection and promotion of the public health.

**Care of
Handicapped**

SECTION 2. The State shall have power to provide for treatment and rehabilitation, as well as domiciliary care, of mentally or physically handicapped persons.

**Public
Assistance**

SECTION 3. The State shall have power to provide assistance for persons unable to maintain a standard of living compatible with decency and health.

**Slum Clearance,
Rehabilitation
and Housing**

SECTION 4. The State shall have power to provide for, or assist in, slum clearance and the development or rehabilitation of substandard areas, including housing for persons of low income.

**Public Sightliness
and Good Order**

SECTION 5. The State shall have power to conserve and develop its natural beauty, objects and places of historic or cultural interest, sightliness and physical good order, and for that purpose private property shall be subject to reasonable regulation.

ARTICLE IX

EDUCATION

Public Education

SECTION 1. The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no segregation in public educational institutions because of race, religion or ancestry; nor shall public funds be appropriated for the support or benefit of any sectarian or private educational institution.

**Board of
Education**

SECTION 2. There shall be a board of education, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor from panels submitted by local school advisory councils to be established by law. At least part of the membership of the board shall represent geographic subdivisions of the State.

**Powers of the
Board of
Education**

SECTION 3. The board of education shall have power, in accordance with law, to formulate policy, and to exercise control over the public school system through its executive officer, the superintendent of public instruction, who shall be appointed by the board and shall be ex officio a voting member thereof.

**University of
Hawaii**

SECTION 4. The University of Hawaii is hereby established as the state university and constituted a body corporate. It shall have title to all the real and personal property now or hereafter set aside or conveyed to it, which shall be held in public trust for its purposes, to be administered and disposed of according to law.

**Board of
Regents;
Powers**

SECTION 5. There shall be a board of regents of the University of Hawaii, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. At least part of the membership of the board shall represent geographic subdivisions of the State. The president of the university and the superintendent of public instruction shall be ex officio voting members of the board. The board shall have power, in accordance with law, to formulate policy, and to exercise control over the university through its executive officer, the president of the university, who shall be appointed by the board.

ARTICLE X**CONSERVATION AND DEVELOPMENT OF RESOURCES****Resources;
Conservation,
Development
and Use**

SECTION 1. The legislature shall promote the conservation, development and utilization of agricultural resources, and fish, mineral, forest, water, land, game and other natural resources.

**Natural Resources;
Management and
Disposition**

SECTION 2. The legislature shall vest in one or more executive boards or commissions powers for the management of natural resources owned or controlled by the State, and such powers of disposition thereof as may be authorized by law; but land set aside for public use, other than for a reserve for conservation purposes, need not be placed under the jurisdiction of such a board or commission.

The mandatory provisions of this section shall not apply to the natural resources owned by or under the control of a political subdivision or a department or agency thereof.

**Sea
Fisheries**

SECTION 3. All fisheries in the sea waters of the State not included in any fish pond or artificial inclosure shall be free to the public, subject to vested rights and the right of the State to regulate the same.

**General Laws
Required;
Exceptions**

SECTION 4. The legislative power over the lands owned by or under the control of the State and its political subdivisions shall be exercised only by general laws, except in respect to transfers to or for the use of the State, a political subdivision, or any department or agency thereof.

**Farm and Home
Ownership**

SECTION 5. The public lands shall be used for the development of farm and home ownership on as widespread a basis as possible, in accordance with procedures and limitations prescribed by law.

ARTICLE XI**HAWAIIAN HOME LANDS****Hawaiian Homes
Commission Act**

SECTION 1. Anything in this constitution to the contrary notwithstanding, the Hawaiian Homes Commission Act, 1920, enacted by the Congress, as the same has been or may be amended prior to the admission of the State, is hereby adopted as a law of the State, subject to amendment or repeal by the legislature, provided, that, if and to the extent that the United States shall so require, said law shall be subject to amendment or repeal only with the consent of the United States and in no other manner, provided, further, that, if the United States shall have been provided or shall provide that particular provisions or types of provisions of said Act may be amended in the manner required for ordinary state legislation, such provisions or types of provisions may be so amended. The proceeds and income from Hawaiian home lands shall be used only in accordance with the terms of said Act, and the legislature may, from time to time, make additional sums available for the purposes of said Act by appropriating the same in the manner provided by law.

**Compact with the
United States**

SECTION 2. The State and its people do hereby accept, as a compact with the United States, or as conditions or trust provisions imposed by the United States, relating to the management and disposition of the Hawaiian home lands, the requirement that Section 1 hereof be included in this constitution, in whole or in part, it being intended that the Act or Acts of the Congress pertaining thereto shall be definitive of the extent and nature of such compact, conditions or trust provisions, as the case may be. The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out.

ARTICLE XII**ORGANIZATION, COLLECTIVE BARGAINING****Private
Employees**

SECTION 1. Persons in private employment shall have the right to organize for the purpose of collective bargaining.

**Public
Employees**

SECTION 2. Persons in public employment shall have the right to organize and to present and make known their grievances and proposals to the State, or any political subdivision or any department or agency thereof.

ARTICLE XIII

STATE BOUNDARIES, CAPITAL, FLAG

Boundaries

SECTION 1. The State of Hawaii shall include the islands and territorial waters heretofore constituting the Territory of Hawaii.

Capital

SECTION 2. Honolulu, on the Island of Oahu, shall be the capital of the State.

State Flag

SECTION 3. The Hawaiian flag shall be the flag of the State.

ARTICLE XIV

GENERAL AND MISCELLANEOUS PROVISIONS

Civil Service

SECTION 1. The employment of persons in the civil service, as defined by law, of or under the State, shall be governed by the merit principle.

**Employees
Retirement
System**

SECTION 2. Membership in any employees' retirement system of the State or any political subdivision thereof shall be a contractual relationship, the accrued benefits of which shall not be diminished or impaired.

**Disqualification
for Disloyalty**

SECTION 3. No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment.

Oath of Office

SECTION 4. All public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as
..... to the best of my ability." The legislature may prescribe further oaths or affirmations.

**Intergovernmental
Relations**

SECTION 5. The legislature may provide for cooperation on the part of this State and its political subdivisions with the United States, or other states and territories, or their political subdivisions, in matters affecting the public health, safety and general welfare, and funds may be appropriated to effect such cooperation.

Federal Lands

SECTION 6. The United States shall be vested with or retain title to or an interest in or shall hold the property in the Territory of Hawaii set aside for the use of the United States and remaining so set aside immediately prior to the admission of this State, in all respects as and to the extent set forth in the act or resolution providing for the admission of this State to the Union.

**Compliance
with Trust**

SECTION 7. Any trust provisions which the Congress shall impose, upon the admission of this State, in respect of the lands patented to the State by the United States or the proceeds and income therefrom, shall be complied with by appropriate legislation.

**Administration
of Undisposed
Lands**

SECTION 8. The lands and other property, the final determination and disposition of which shall not have been made by the Congress upon the admission of this State, shall, pending such determination and disposition, continue to be administered in accordance with the laws applicable thereto immediately prior to the admission of this State, except as the Congress may consent to any amendment of said laws, and no provision of this constitution for the exercise of powers or functions other than in accordance with such laws shall, without the consent of the Congress, apply to the lands or property so administered.

**Federal Property,
Tax Exemption**

SECTION 9. No taxes shall be imposed by the State upon any lands or other property now owned or hereafter acquired by the United States, except as the same shall become taxable by reason of disposition thereof by the United States or by reason of the consent of the United States to such taxation.

**Hawaii National
Park**

SECTION 10. All provisions of the act or resolution admitting this State to the Union, or providing for such admission, which reserve to the United States jurisdiction of Hawaii National Park, or the ownership or control of lands within Hawaii National Park, are consented to fully by the State and its people.

Judicial Rights

SECTION 11. All those provisions of the act or resolution admitting this State to the Union, or providing for such admission, which reserve to the United States judicial rights or powers are consented to fully by the State and its people; and those provisions of said act or resolution which preserve for the State judicial rights and powers are hereby accepted and adopted, and such rights and powers are hereby assumed, to be exercised and discharged pursuant to this constitution and the laws of the State.

**Titles, Subtitles,
Personal Pronouns;
Construction**

SECTION 12. Titles and subtitles shall not be used for purposes of construing this constitution.

Whenever any personal pronoun appears in this constitution, it shall be construed to mean either sex.

General Power

SECTION 13. The enumeration in this constitution of specified powers shall not be construed as limitations upon the power of the State to provide for the general welfare of the people.

**Provisions
Self-Executing**

SECTION 14. The provisions of this constitution shall be self-executing to the fullest extent that their respective natures permit.

ARTICLE XV

REVISION AND AMENDMENT

**Methods of
Proposal**

SECTION 1. Revisions of or amendments to this constitution may be proposed by constitutional convention or by the legislature.

**Constitutional
Convention**

SECTION 2. The legislature may submit to the electorate at any general or special election the question, "Shall there be a convention to propose a revision of or amendments to the Constitution?" If any ten-year period shall elapse during which the question shall not have been submitted, the lieutenant governor shall certify the question, to be voted on at the first general election following the expiration of such period.

**Election
of Delegates**

If a majority of the ballots cast upon such question be in the affirmative, delegates to the convention shall be chosen at the next regular election unless the legislature shall provide for the election of delegates at a special election.

Notwithstanding any provision in this constitution to the contrary, other than Section 3 of Article XIV, any qualified voter of the district concerned shall be eligible to membership in the convention.

Unless the legislature shall otherwise provide, there shall be the same number of delegates to such convention, who shall be elected from the same areas, and the convention shall be convened in the same manner, as nearly as practicable, as required for the Hawaii State Constitutional Convention of 1950.

**Organization;
Procedure**

The convention shall determine its own organization and rules of procedure. It shall be the sole judge of the elections, returns and qualifications of its members and, by a two-thirds vote, may suspend or remove any member for cause. The governor shall fill any vacancy by appointment of a qualified voter from the district concerned.

**Ratification;
Appropriations**

The convention shall provide for the time and manner in which the proposed constitutional revision or amendments shall be submitted to a vote of the electorate, but no such revision or amendments shall be effective unless approved at a general election by a majority of all of the votes tallied upon the question, such majority constituting at least thirty-five percent of the total vote cast at such election, or at a special election by a majority of the total vote tallied upon such question, such majority constituting at least thirty-five percent of the total number of registered voters; provided, that no constitutional amendment altering this proviso or the representation from any senatorial district in the senate shall become effective unless it shall also be approved by a majority of the votes tallied upon the question in each of a majority of the counties.

The provisions of this section shall be self-executing, but the legislature shall make the necessary appropriations and may enact legislation to facilitate their operation.

**Amendments
Proposed by
Legislature**

SECTION 3. The legislature may propose amendments to the constitution by adopting the same, in the manner required for legislation, by a two-thirds vote of each house on final reading at any session, after either or both houses shall have given the governor at least ten days' written notice of the final form of the proposed amendment, or, with or without such notice, by a majority vote of each house on final reading at each of two successive sessions.

Upon such adoption, the proposed amendments shall be entered upon the journals, with the ayes and noes, and published once in each of four successive weeks in at least one newspaper of general circulation in each senatorial district wherein such a newspaper is published, within the two months' period immediately preceding the next general election.

At such general election the proposed amendments shall be submitted to the electorate for approval or rejection upon a separate ballot.

The conditions of and requirements for ratification of such proposed amendments shall be the same as provided in Section 2 of this article for ratification at a general election.

Veto

SECTION 4. No proposal for amendment of the constitution adopted in either manner provided by this article shall be subject to veto by the governor.

ARTICLE XVI

SCHEDULE

Representative Districts

**Description:
Number of
Members**

SECTION 1. As provided in Section 3 of Article III until the next reapportionment, the representative districts and the number of members to be elected from each shall be as follows:

First representative district: that portion of the island of Hawaii known as Puna, one representative;

Second representative district: that portion of the island of Hawaii known as South Hilo, four representatives;

Third representative district: that portion of the island of Hawaii known as North Hilo and Hamakua, one representative;

Fourth representative district: that portion of the island of Hawaii known as Kau and South Kona and that portion of North Kona, for convenience herein referred to as Keauhou, more particularly described as follows: from a point at the seashore between the lands of Holualoa 1 and 2 and Puapuaa 2 running northeasterly along the boundary of Holualoa 1 and 2 to Puu Laalaau; (2) easterly in a straight line to a point called

"Naohueleelua" being the common corner of the lands of Puuanahulu, Kaohe and Keauhou 2nd; (3) southeasterly along the common boundary between Hamakua and North Kona districts to the summit of Mauna Loa; (4) westerly along the common boundary between Kau and North Kona districts to the easterly boundary of South Kona district; (5) northerly and westerly along the boundary between North and South Kona districts to the seashore; and (6) northerly along the seashore to the point of beginning; one representative;

Fifth representative district: that portion of the island of Hawaii known as Kohala and that portion of North Kona not included in the fourth representative district, one representative;

Sixth representative district: the islands of Molokai and Lanai, one representative;

Seventh representative district: the islands of Maui and Kahoolawe, five representatives;

Eighth representative district: that portion of the island of Oahu known as Koolaupoko and Koolauloa, two representatives;

Ninth representative district: that portion of the island of Oahu known as Waialua and Wahiawa, two representatives;

Tenth representative district: that portion of the island of Oahu known as Ewa and Waianae, two representatives;

Eleventh representative district: that portion of the island of Oahu, for convenience herein referred to as Kalihi, more particularly described as follows: from the intersection of Kalihi and Auiki Streets running westerly along Auiki Street to Mokauea Street; (2) southwesterly along Mokauea Street Extension extended to a point on the outer edge of the reef; (3) westerly along the outer edge of the reef to a point on the Moanalua-Halawa boundary; (4) northerly and northeasterly along the Moanalua-Halawa boundary to the top of Koolau Range; (5) southeasterly along the top of Koolau Range to a place called "Puu Lanihuli"; (6) southwesterly along the top of the ridge between the lands of Kalihi, Kapalama and Nuuanu to Kalihi Street; and (7) southwesterly along Kalihi Street to the point of beginning, three representatives;

Twelfth representative district: that portion of the island of Oahu, for convenience herein referred to as upper Nuuanu, more particularly described as follows: from the intersection of King and Kalihi Streets running northeasterly along Kalihi Street to the ridge between the lands of Kalihi, Kapalama and Nuuanu; (2) northeasterly along the top of said ridge to a point on the Koolau Range called "Puu Lanihuli"; (3) easterly along the top of said Range to Pali Road at the Nuuanu Pali; (4) southwesterly along Pali Road to Nuuanu Avenue and southwesterly along Nuuanu Avenue to School Street; (5) northwesterly along School Street to the center line of the Kapalama Drainage Canal (Waikiki Branch); (6) southwesterly along said Canal to the center line of the main Kapalama

Drainage Canal; (7) southwesterly along said Canal to King Street; and (8) northwesterly along King Street to the point of beginning, three representatives;

Thirteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Kapalama, more particularly described as follows: from the junction of the Honolulu Harbor Channel and the reef running westerly along the outer edge of the reef to Mokauea Street Extension extended, (2) northeasterly along Mokauea Street Extension extended to Sand Island Road; (3) northeasterly along Mokauea Street Extension to Auiki Street; (4) easterly along Auiki Street to Kalihi Street; (5) northeasterly along Kalihi Street to King Street; (6) southeasterly along King Street to the center line of the main Kapalama Drainage Canal; (7) northerly along said Canal to the center line of the Kapalama Drainage Canal (Waikiki Branch); (8) northeasterly along said Canal to School Street; (9) southeasterly along School Street to Nuuanu Avenue; (10) southwesterly along Nuuanu Avenue to the sea, and (11) southwesterly along the middle of Honolulu Harbor and Honolulu Harbor Channel to the point of beginning, three representatives;

Fourteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Pauoa, more particularly described as follows: from the junction of the Honolulu Harbor Channel and the outer edge of the reef running northeasterly along the middle of Honolulu Harbor Channel and Honolulu Harbor to the intersection of Queen Street and Nuuanu Avenue; (2) northeasterly along Nuuanu Avenue to Pali Road and northeasterly along Pali Road to the top of the Koolau Range at the Nuuanu Pali; (3) easterly and southerly along the top of the Koolau Range to a point called "Puu Konahuanui"; (4) southwesterly along the top of the ridge between the lands of Nuuanu, Pauoa and Manoa to a mountain peak called "Puu Ohia" or "Tantalus"; (5) southwesterly along the top of the ridge between the lands of Makiki and Kalawahine to the intersection of Nehoa Street and Lewalani Drive; (6) southerly along Lewalani Drive and Piikoi Street to Wilder Avenue; (7) easterly along Wilder Avenue to Punahou Street; (8) southerly along Punahou Street to King Street; (9) westerly along King Street to Kalakaua Avenue; (10) southerly along Kalakaua Avenue to the center line of the Ala Wai Canal; (11) westerly along said Canal and along the line of said Canal extended to the outer edge of the reef; and (12) westerly along the outer edge of the reef to the point of beginning, five representatives;

Fifteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Manoa and Waikiki, more particularly described as follows: from the intersection of Kalakaua Avenue and the center line of the Ala

Wai Canal running northerly along Kalakaua Avenue to King Street; (2) easterly along King Street to Punahou Street; (3) northerly along Punahou Street to Wilder Avenue; (4) westerly along Wilder Avenue to Piikoi Street; (5) northerly along Piikoi Street to Lewalani Drive; (6) northerly along Lewalani Drive to Nehoa Street; (7) northeasterly along the top of the ridge between the lands of Makiki and Kalawahine to a mountain peak called "Puu Ohia" or "Tantalus"; (8) northeasterly along the top of the ridge between the lands of Pauoa, Manoa and Nuuanu to a point on the Koolau Range called "Puu Konahuanui"; (9) southeasterly along the top of said Range to a place called "Mt. Olympus"; (10) southwesterly along the top of Waahila Ridge to the top edge of Palolo Valley; (11) southwesterly along the top edge of said Valley to the forest reserve boundary; (12) southwesterly along the southeasterly boundary of St. Louis Heights Tract, Series 2 (File Plan 464) to the southerly boundary of said Tract 100 feet southeasterly from Alencastre Street; (13) southwesterly parallel to and 100 feet from Alencastre Street and St. Louis Drive to Waialae Avenue; (14) westerly along Waialae Avenue to Kapahulu Avenue extended; (15) southerly across Waialae Avenue and along Kapahulu Avenue to Kalakaua Avenue; (16) westerly along Kapahulu Avenue extended to the outer edge of the reef; (17) northwesterly along the outer edge of the reef to a point on the line extended of the center line of the Ala Wai Canal; and (18) easterly along said line to the point of beginning, six representatives;

Sixteenth representative district: that portion of the island of Oahu, for convenience herein referred to as Kaimuki and Kapahulu, more particularly described as follows: from a point at the seacoast at a place called "Black Point" running westerly along the seacoast to Kapahulu Avenue extended to the sea; (2) easterly across Kalakaua Avenue and easterly and northerly along Kapahulu Avenue to Waialae Avenue; (3) easterly along Waialae Avenue to a point 100 feet easterly of St. Louis Drive; (4) northeasterly across Waialae Avenue then parallel to and 100 feet from St. Louis Drive and Alencastre Street to the southerly boundary of St. Louis Heights Tract, Series 2 (File Plan No. 464); (5) northeasterly along the southeasterly boundary of said Tract to the forest reserve boundary; (6) northeasterly along the top ridge of Palolo Valley to the top of Waahila Ridge; (7) northeasterly along the top of Waahila Ridge to a point on Koolau Range called "Mt. Olympus"; (8) easterly along the top of the Koolau Range to the top of the ridge between the lands of Waialae Nui and Palolo; (9) southwesterly along the top of said ridge to a place called "Kalepeamo"; (10) southwesterly along Mauumae Ridge to Sierra Drive; (11) southwesterly along Sierra Drive to Waialae Avenue; (12) easterly along Waialae Avenue to 13th Avenue;

(13) southwesterly along 13th Avenue and Ocean View Drive to Kilauea Avenue; (14) westerly along Kilauea Avenue to Makapuu Avenue; (15) southwesterly along Makapuu Avenue to Diamond Head Road; and (16) southeasterly along Diamond Head Road to the Military Road and along the Military Road extended to the point of beginning, four representatives;

Seventeenth representative district: that portion of the island of Oahu not included in any other representative district on the island of Oahu, together with all other islands not included in any other representative district, three representatives;

Eighteenth representative district: the islands of Kauai and Niihau, four representatives.

Wherever a roadway, or the intersection of one or more roadways, is designated as a boundary in any of the above descriptions, the center line of such roadway or intersection is intended as such boundary.

TRANSITIONAL PROVISIONS

SECTION 2. All laws in force at the time this constitution takes effect and not inconsistent therewith, including, among others, acts of the Congress relating to the lands in the possession, use and control of the Territory of Hawaii, shall be the laws of the State and remain in force, mutatis mutandis, until they expire by their own limitation, or are altered or repealed by the legislature.

Except as otherwise provided by this constitution, all existing writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, titles and rights shall continue unaffected notwithstanding the taking effect of this constitution, except that the State shall be the legal successor to the Territory in respect thereof, and may be maintained, enforced or prosecuted, as the case may be, before the appropriate or corresponding tribunals or agencies of or under the State or of the United States, in the name of the State, political subdivision, person or other party entitled to do so, in all respects as fully as could have been done prior to taking effect of this constitution.

SECTION 3. The debts and liabilities of the Territory shall be assumed and paid by the State, and all debts owed to the Territory shall be collected by the State.

SECTION 4. All acts of the legislature of the Territory authorizing the issuance of bonds by the Territory or its political subdivisions are approved, subject, however, to amendment or repeal by the legislature, and bonds may be issued by the State and its political subdivisions pursuant to said acts. Whenever in said acts the approval of the President or of the Congress is required, the approval of the governor shall suffice.

**Continuity
of Laws**

Debts

Bond Acts

**Continuance
of Officers**

SECTION 5. Except as otherwise provided by this constitution, all executive officers of the Territory or any political subdivision thereof and all judicial officers who may be in office at the time of admission of this State to the Union shall continue to exercise and discharge the powers and duties of their respective offices until their successors shall have qualified in accordance with this constitution or the laws enacted pursuant thereto.

**Lieutenant
Governor;
Secretary**

SECTION 6. Unless otherwise provided by law, the lieutenant governor shall exercise and discharge the powers and duties of the secretary of the Territory.

**Residence, other
Qualifications**

SECTION 7. Requirements as to residence, citizenship or other status or qualifications in or under the State prescribed by this constitution shall be satisfied pro tanto by corresponding residence, citizenship or other status or qualifications in or under the Territory.

**Allocation of
Departments**

SECTION 8. The provisions of Section 6 of Article IV shall not be mandatory until four years from the date of admission of this State to the Union. The legislature shall within three years from said date allocate and group the executive and administrative offices, departments and instrumentalities of the state government and their respective functions, powers and duties among and within the principal departments pursuant to said section.

If such allocation and grouping shall not have been completed within such period, the governor, within one year thereafter, by executive order, shall make such allocation and grouping.

**Condemnation
of Fisheries**

SECTION 9. All vested rights in fisheries in the sea waters not included in any fish pond or artificial inclosure shall be condemned to the use of the public upon payment of just compensation, which compensation, when lawfully ascertained, shall be paid out of any money in the treasury of the State not otherwise appropriated.

FIRST OFFICERS. PROCEDURES**Elections**

SECTION 10. In case the people of the Territory ratify this constitution and the same is approved by the duly constituted authority of the United States whose approval thereto may be required, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation for primary and final elections, as hereinafter provided, at which officers for all state elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two senators and two representatives to the Congress, and unless and until otherwise required by law, said representatives shall be elected at large.

**Election
Procedure;
Certification**

SECTION 11. Said primary election shall take place not less than sixty nor more than ninety days after said proclamation, and the final election shall take place within forty days after the primary election. Such elections shall be held and the qualifications of voters thereat shall be as prescribed by this constitution and by the laws relating to the election of members of the legislature at primary and general elections. The returns thereof shall be made, canvassed and certified in the manner prescribed by law with respect to the election for the ratification or rejection of this constitution. The governor shall thereupon certify the results thereof to the President.

**Proclamation of
Admission;
Assumption
of Office**

SECTION 12. Upon the issuance by the President of a proclamation announcing the results of said election and the admission of this State to the Union, the officers elected and qualified shall proceed to exercise and discharge the powers and duties pertaining to their respective offices.

**Governor and
Lieutenant
Governor**

SECTION 13. The first governor and lieutenant governor shall hold office for a term beginning with their election and ending at noon on the first Monday in December following the second general election.

**Certification,
United States
Senators and
Representatives**

SECTION 14. The governor of the State and secretary of state shall certify the election of the senators and representatives to the Congress in the manner required by law. For this purpose, the lieutenant governor of this State shall be deemed secretary of state.

**First
Legislature;
Term of Office**

SECTION 15. The terms of office of the members of the first legislature shall be as follows:

Members of the house of representatives shall hold office for a term beginning with their election and ending on the day of the second general election held thereafter.

Members of the senate shall be divided into two classes. The first class shall consist of the following number elected with the highest number of votes from their respective senatorial districts: first district, three; second district, one; third district, two; fourth district, three; fifth district, two; and sixth district, two. Members of the first class shall hold office for a term beginning with their election and ending on the day of the third general election held thereafter. The remaining members elected shall constitute the second class and shall hold office for a term beginning with their election and ending on the day of the second general election held thereafter.

**First Session
of Legislature**

SECTION 16. Ten days after the admission of this State to the Union, the legislature shall convene in special session.

**Salaries of
Legislators**

SECTION 17. Until otherwise provided by law in accordance with Section 10 of Article III, the salary of members of the legislature shall be as follows: the sum of two thousand five hundred dollars for each general session, the sum of one thousand five hundred dollars for each budget session and the sum of seven hundred and fifty dollars for each special session.

**Compensation of
Judges**

SECTION 18. Until the legislature shall otherwise provide under Section 3 of Article V, the chief justice, justices of the supreme court and judges of the circuit courts shall receive as compensation for their services the sums of seventeen thousand five hundred dollars, seventeen thousand dollars and fifteen thousand dollars per annum, respectively, which shall, notwithstanding the provisions of Article V of this constitution, be subject to increase or decrease by the first session of the legislature.

EFFECTIVE DATE

This constitution shall take effect and be in full force immediately upon the admission of Hawaii into the Union as a State.

Done in Convention, at Iolani Palace,
Honolulu, Hawaii, on the twenty-second day
of July, in the year one thousand nine hundred
fifty, and of the Independence of the United
States of America the one hundred and seventy-
fifth.

APPENDIX B

INDEX OF CONGRESSIONAL HEARINGS ON STATEHOOD FOR HAWAII

Twenty-two congressional investigations on the question of admitting Hawaii to statehood have been made since 1935. The date, authorization, and locale of these hearings are as follows:

- (1) 1935: May 31, H.R. 3034, Washington.
- (2) 1935: October 7-18, H.R. 3034, Hawaii.
- (3) 1937: October 6-22, Senate Concurrent Resolution 18, Hawaii.
- (4) 1946: January 7-18, House Resolution 236, Hawaii.
- (5) 1946: June 4, H.R. 3643, Washington.
- (6) 1947: March 7-19, H.R. 49 and 10 identical bills, Washington.
- (7) 1948: January 5-20, H.R. 49 and S. 114, Hawaii.
- (8) 1948: April 15, H.R. 49 and S. 114, Washington.
- (9) 1948: November 1-12, H.R. 49, and S. 114, Hawaii.
- (10) 1949: March 3 and 8, H.R. 49 and related bills, Washington.
- (11) 1950: May 1-5, H.R. 49, Washington.
- (12) 1953: February 23-27, H.R. 49, Washington.
- (13) 1953: March 6, S. 49, Washington.
- (14) 1953: June 29, 30, July 1, 2, 3, 6, 7, 9, 11, and January 7 and 8, 1954, Senate committee on S. 49, S. 51, and H.R. 3575, Washington.
- (15) 1954: January 13-15 and 19, Senate committee on S. 49; S. 51, and H.R. 3575, Washington.
- (16) 1954: December 16 and 17, House subcommittee (public hearings), Hawaii.
- (17) 1955: January 25, 27, 28, February 2, 4, 7, 8, 14, 16, House on H.R. 2535 (Hawaii-Alaska), Washington.
- (18) 1955: February 21, 22, 28, Senate on S. 49 (Hawaii-Alaska), Washington.
- (19) 1957: April 1 and 2, Senate subcommittee on S. 50, Washington.
- (20) 1957: April 8, 9, and 16, House subcommittee on H.R. 49, Washington.
- (21) 1958: November 24 to December 8, Special House subcommittee on H.R. 49, Hawaii.
- (22) 1959: January 26, 27, 28, and February 4, House Interior Committee on H.R. 50 and 23 related bills (including H.R. 4221), Washington.
- (23) 1959: February 25, 26, Senate Subcommittee on S. 50, Washington.
- (24) 1959: March 3, Senate Committee on S. 50, Washington.

APPENDIX C

THE PRINTED VOLUMES OF HOUSE AND SENATE HEARINGS AND
REPORTS ON HAWAII STATEHOOD

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1. Administration in Hawaii. Senate Interior Committee hearing, Jan. 16, 1933.....	149
2. Hearings before House Territories Committee, May 31, 1935.....	20
3. Statehood for Hawaii. Hearings before House Subcommittee on Territories, October 7 to 18, 1935.....	343
4. Statehood for Hawaii. Hearings before joint committee, Oct. 6 to 22, 1937.....	735
5. Statehood for Hawaii. Report from chairman joint committee, Jan. 5, 1938.....	100
6. Statehood for Hawaii. House subcommittee, Jan. 7 to 18, 1946.....	909
7. Statehood for Hawaii. Hearing, House Territories Committee, June 4, 1946.....	75
8. Statehood for Hawaii. Hearing of Committee on Lands, Mar. 7 to 19, 1947.....	310
9. House Report 194, Public Lands Committee, Mar. 27, 1947.....	40
10. Cordon Report on H.R. 49 and S. 114, Jan. 5 to 20, 1948, Hawaii.....	18
11. Statehood for Hawaii. Senate Interior Subcommittee, Apr. 15, 1948.....	497
12. Statehood for Hawaii. Report by Mr. Butler, June 21, 1948.....	15
13. Statehood for Hawaii. House subcommittee, Mar. 3 to 8, 1949.....	77
14. Report 254, Committee on Public Lands, Mar. 10, 1949.....	27
15. Statehood for Hawaii. Senate Interior, Insular Committee, May 1 to 5, 1950.....	550
16. Statehood for Hawaii. Senate Interior, Insular report, June 29, 1950.....	59
17. Supplemental Report, Senate Interior Committee, Aug. 28, 1950.....	29
18. Statehood for Hawaii. Senate Report 314, May 8, 1951.....	69
19. Statehood for Hawaii. House Insular hearings, Feb. 23 to 27, 1953.....	209
20. Statehood for Hawaii. House Interior report 109, Mar. 3, 1953.....	73
21. Statehood for Hawaii. Senate hearings, Insular Affairs, Mar. 6, 1953.....	58
22. Statehood for Hawaii. Senate hearings, Insular Affairs, June 29, 30, July 1, 2, 3, 6, 7, 9, 11, 1953, and Jan. 7 and 8, 1954.....	652
23. Statehood for Hawaii. Senate hearings, Insular Affairs, Jan. 13, 14, 15, 19, 1954.....	86
24. Statehood for Hawaii. Report 886 (to accompany S. 49), Jan. 27 (legislative day, Jan. 22), 1954.....	94
25. Hawaii-Alaska. Hearings. House Interior Committee, Jan. 25-Feb. 16, 1955.....	502
26. Hawaii-Alaska. Hearings. Senate Interior Committee, Feb. 21, 22, and 28, 1955.....	188
27. Report No. 88 on H.R. 2535, House Interior Committee, Mar. 3, 1955.....	126
28. Statehood for Hawaii. Senate Interior Committee, Apr. 1, 2, 1957.....	111
29. Statehood for Hawaii. House Interior Committee, Apr. 8, 9, and 16, 1957.....	157
30. Statehood for Hawaii. Senate Report 1164, Aug. 29, 1957, and minority views.....	72
31. Statehood for Hawaii. House Report 2700, Aug. 23, 1958.....	78
32. Hawaii Statehood. Special Subcommittee Report, House Interior Committee, Nov. 24 to Dec. 8, 1958.....	6
33. Statehood for Hawaii. House Interior Committee, Jan. 26, 27, and 28, and Feb. 4, 1959 (approx.).....	186
34. Statehood for Hawaii. House Report 32, Feb. 11, 1959.....	70
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APPENDIX D

JOINT RESOLUTION NO. 55 (55th Cong.) To provide for annexing the Hawaiian Islands to the United States

Whereas the Government of the Republic of Hawaii, having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands, all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have the power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Senate joint resolution adopted July 7, 1898 (30 Stat. 750).

APPENDIX E

Population of Hawaii by race, 1900-1950¹

Race	1900 ²		1910 ³		1920 ³		1930 ³		1940 ³		1950 ³	
	Population	Percent	Population	Percent	Population	Percent	Population	Percent	Population	Percent	Population	Percent
1. Hawaiian.....	28,718	18.6	26,041	13.6	23,723	9.3	22,636	6.1	14,375	3.4	(4)	-----
2. Part-Hawaiian.....	9,536	6.2	12,506	6.5	18,027	7.0	28,224	7.6	49,935	11.8	486,091	17.2
3. Caucasian.....	26,252	17.1	39,158	20.4	49,140	19.3	73,702	20.0	103,791	24.5	114,793	23.0
4. Chinese.....	25,762	16.7	21,674	11.3	23,507	9.2	27,179	7.4	28,774	6.8	32,376	6.5
5. Japanese.....	61,115	39.7	79,675	41.5	109,274	42.7	139,631	37.9	157,905	37.3	184,611	36.9
6. Korean.....	-----	-----	4,533	2.4	4,950	1.9	6,461	1.8	6,851	1.6	(5)	-----
7. Filipino.....	-----	-----	2,361	1.2	21,031	8.2	63,052	17.1	52,569	12.4	61,071	12.2
8. Puerto Rican.....	-----	-----	4,890	2.5	5,602	2.2	6,671	1.8	8,296	2.0	(5)	-----
9. Negro.....	-----	-----	4,695	.4	348	.1	563	.2	255	.1	(5)	-----
10. Other.....	2,618	1.7	376	.2	310	.1	217	.1	579	.1	20,852	4.2
Total.....	154,001	100.0	191,909	100.0	255,912	100.0	368,336	100.0	423,330	100.0	499,794	100.0

¹ Statehood for Hawaii, hearings before the Committee on Interior and Insular Affairs, U. S. Senate, 81st Cong., 2d sess., on H. R. 49 (Washington, U. S. Government Printing Office, 1950), p. 91.

² United States census figures, except that the number of Hawaiians and part-Hawaiians has been corrected in accordance with the 1937 report of the Joint Committee on Hawaii,

S. Doc. No. 151, 75th Cong., 3d sess., p. 38.

³ United States census.

⁴ This classification, in 1950, includes all persons who are part-Hawaiian as well as full-blooded Hawaiians.

⁵ Included in "Other" for 1950.

APPENDIX F

SURFACE TRANSPORTATION

Memorandum prepared by the Department of the Interior, March 13, 1953

ECONOMIC REGULATION

The Federal Maritime Board currently exercises regulatory jurisdiction over common carriers by water engaged in transportation between ports of the continental States, its Territories and possessions, and ports in Hawaii. The Board also exercises such jurisdiction over common carriers by water engaged in transportation wholly within the Territory of Hawaii (46 U.S.C., 1946 ed., secs. 801, 843, 845b). The Board's jurisdiction extends to the regulation of the rates and practices of such carriers. It does not issue certificates of public convenience and necessity.

If Hawaii were to become a State, in the absence of any provision to the contrary in the enabling legislation, regulatory jurisdiction over vessels engaged in commerce between Hawaii and another State would be exercised by the Interstate Commerce Commission, which now regulates common carriers engaged in water transportation between the States (49 U.S.C., 1946 ed., secs. 902(i), 902 (k)). The Commission does not exercise any jurisdiction over intrastate surface transportation, and it would have no authority to do so in the case of Hawaii. The Interstate Commerce Commission's interstate jurisdiction extends to the regulation of rates, fares, charges, and practices (49 U.S.C., 1946 ed., sec. 905), as well as to the issuance of certificates of public convenience and necessity, without which vessels may not usually engage in interstate surface transportation (49 U.S.C., 1946 ed., sec. 909).

The Federal Maritime Board's jurisdiction over carriers engaged in transportation between points in Hawaii would cease with the termination of Hawaii's Territorial status. The Board has no jurisdiction over intrastate surface transportation. It therefore presumably would not be significant for purposes of the Board's jurisdiction, whether the channels between the islands of Hawaii are or are not defined or considered to be a part of the State. It appears that the Board's current authority over surface transportation by water wholly within Hawaii does not depend upon whether the waters are or are not a part of the Territory.

It appears, also, that the jurisdiction of the Interstate Commerce Commission would not be affected by a provision specifying that the channels between the islands of Hawaii either do or do not constitute a part of the State. The Commission's jurisdiction extends to transportation "wholly by water from a place in a State to a place in any other State * * *," as well as to other transportation not here relevant (49 U.S.C., 1946 ed., sec. 902(i)(1)). A vessel engaged in transportation by water from a place in Hawaii to another place in Hawaii and not entering another State or its waters would not be engaged in interstate commerce. Merely to cross waters not within the State would not make such transportation interstate, and would not subject the carrier to regulation by the Interstate Commerce Commission.

APPLICATION OF THE COMMERCE CLAUSE OF THE FEDERAL CONSTITUTION TO INTERISLAND TRANSACTIONS IN HAWAII

Memorandum prepared by the Department of the Interior, March 27, 1953

This memorandum is directed to exploring certain aspects of the legal situation that would result if Hawaii were to be admitted as a State with boundaries that did not include the waters separating the various islands. It seeks to determine the extent to which the State could, consistently with the Federal Constitution, regulate and tax interisland commerce in the event the channels between the islands were to be considered outside the State.

It is clear that transportation necessitating passage through waters not under the jurisdiction of a State, even though both termini of the voyage lie within the borders of that State, is not intrastate commerce; where the waters traversed are a part of the high seas such transportation is foreign commerce for the purposes of the commerce clause of the Constitution. In *Lord v. Steamship Co.*, (102 U.S. 541 (1880)), it was held that a ship transporting goods from San Francisco to San Diego was engaged in foreign commerce, even though both termini were in the State of California, since the ship of necessity passed outside the 3-mile limit of California's jurisdiction. This interpretation of the meaning of "Commerce with foreign Nations, and among the several States" has been repeatedly reaffirmed, as, for example, in *Hanley v. Kansas City Southern Ry. Co.* (187 U.S. 617 (1903)).

From these decisions it follows that the Congress would have full authority to regulate interisland traffic in Hawaii in the circumstances here assumed. However, it does not follow that the State would be deprived of the authority to regulate such traffic should the Congress choose to refrain from exercising its own superior authority. The principle is well established in our constitutional law that, in the silence of Congress, the States may regulate those aspects of interstate or foreign commerce that are chiefly of local significance, provided the regulation does not discriminate against such commerce in favor of intrastate commerce. Thus, in *Wilmington Transportation Co. v. California R. R. Co.* (236 U.S. 151 (1915)), it was held that sea transportation between the mainland of California and Santa Catalina Island (also in that State) was a matter over which the State could take jurisdiction, notwithstanding that such transportation necessitated passage over waters outside California's boundaries, but it was also clearly implied that the Congress had the right to impose its superior authority if it should desire to do so. Mr. Justice Hughes, in rendering the opinion of the Court in that case, pointed out that there was a well-established distinction between those matters of interstate or foreign commerce where, if any legislation should be enacted at all, it ought to be of a national or general character, and those other matters of interstate or foreign commerce which are distinctly local in character and in which it would be proper for States to act in a reasonable manner to meet the needs of suitable local protection in the absence of Federal action. In line with earlier decisions involving ferries operating across interstate or foreign boundary waters, traffic by vessels operating solely between Santa Catalina Island and the mainland was held to fall within the latter of these two categories.

The circumstances of interisland transportation in Hawaii seem sufficiently akin to those considered in the Wilmington case to bring such transportation within the principle of that case. If so, the State could regulate the interisland transportation, provided it did so in a nondiscriminatory manner, and provided no inconsistent action had been taken by the Congress.

With respect to the validity of State taxation of interisland commerce, somewhat different concepts are applicable. While the States may tax the property used in carrying on interstate and foreign commerce or the net profits derived from such commerce, they may not tax the commerce itself. Thus, a State may not impose a gross-receipts tax on revenues derived from the sale of interstate or foreign transportation services unless the tax is properly apportioned. In the application of these principles ferries across boundary waters are treated the same as other carriers (*Glouster Ferry Co. v. Pennsylvania*, 114 U.S. 196 (1885)).

Situations where the transportation begins and ends within the same State have the subject of a number of decisions. In *Lehigh Valley R.R. Co. v. Pennsylvania* (145 U.S. 192 (1892)), it was held that, though the commerce in question (transportation between two points in Pennsylvania through New Jersey) was interstate, it could be taxed by the State within which both ends of the journey were located. This view was more precisely stated in *Central Greyhound Lines, Inc. v. Mealey* (334 U.S. 653 (1948)), in which it was held that the State within which both termini of a bus journey were located could levy a tax on that part of the gross receipts from the transportation services which was proportionate to the part of the journey performed within the State, but not on the total gross receipts. A tax levied upon the total gross receipts, it was held, would unduly burden interstate commerce.

The cases cited in the foregoing paragraph indicate that Hawaii could impose a tax upon the gross receipts from interisland transportation services if the tax was an "apportioned" one, that is, measured by the portion of the receipts attributable to the portion of the services performed within the State. It is

possible, however, that Hawaii might be able to tax the total gross receipts, without apportionment, for reasons indicated below.

In *Cornell Steamboat Company v. Sohmer* (235 U.S. 549 (1914)), a tax imposed by the State of New York upon the total gross receipts from water transportation between two points in that State was sustained, notwithstanding that the territorial waters of New Jersey were traversed in the course of the voyage. The court stated that "transportation between the ports of the State is not interstate commerce, excluded from the taxing power of the State, because as to a part of the journey, the course is over the territory of another State." This language was sharply criticized in the *Central Greyhound* case. The Court there said (pp. 661 and 662) that the tax could have been sustained on the ground that it was not a burden, in the constitutional sense, on interstate commerce, and should not have been sustained on the ground, which the court regarded as fictional, that interstate commerce was not involved. The court further stated (p. 662) that New Jersey's relation to the water transportation involved in the *Cornell* case was "very different" from the relation of that State to the highway transportation involved in the *Central Greyhound* case. As so distinguished, the *Cornell* case would appear to support the proposition that a State can tax the total gross receipts from transportation that begins and ends within the State, but goes outside of it in the course of the journey, provided the circumstances of the out-of-State part of the journey are such that interstate commerce will not be burdened if the receipts from that part of the journey are included in the measure of the tax.

In the application of this proposition, a factor of key importance would seem to be whether the out-of-State part of the journey could be taxed by another State or foreign country, thus leaving the door open to dual taxation if apportionment is not required. In the *Central Greyhound* case, the right of the States through which the bus traveled to tax the part of the journey performed on their highways was conceded, and clearly influenced the conclusion of the court that the gross receipts tax imposed by New York must be similarly apportioned. In the *Cornell* case, on the other hand, it is doubtful whether New Jersey could have taxed any part of the gross receipts, as the transportation within that State was confined to passage through the navigable waters along its boundary, and did not involve the use of any facility provided by the State. Since interisland transportation in Hawaii presents no possibility of dual taxation, it could be argued with considerable force of reason that such transportation would come within the principle of the *Cornell* case, even as distinguished in the *Central Greyhound* case.

Another line of decisions governs the extent to which the State could apply its sales or use taxes to the value or sales price of goods sold by a vendor on one island for delivery to a purchaser on another island. It is well settled that goods are not exempted from State taxation merely because they have been brought into the State through the channels of interstate or foreign commerce. Where the goods originated in a foreign country, they cannot be taxed while they remain in the hands of the importer and in their original packages. Where the goods originated in another State, they cannot be taxed until the interstate transportation has ended and they have become a part of the common mass of property within the State. Once these requirements have been fulfilled, a State sales or use tax may be imposed on subsequent transfers of the goods between parties within the taxing State, so long as the tax does not discriminate against the goods because of their out-of-State origin, *Henneford v. Silas Mason Co.* (300 U.S. 577 (1936)).

In *McGoldrick v. Berwind-White Co.* (309 U.S. 33 (1940)), the Court was called upon to decide the question whether New York City could impose its retail sales tax upon certain sales of coal made by a vendor in that city to a purchaser in that city. The coal in question was sold under contracts made in New York City that provided for delivery of the coal at the purchaser's facilities in the city. After the contracts were made the vendor caused the coal to be moved from its mines in Pennsylvania, through New Jersey, to the purchaser's facilities in New York City. The Court upheld the application of the tax to these sales, saying, in the words of Mr. Justice Stone:

"Respondent, pointing to the course of its business and to its contracts which contemplate the shipment of the coal interstate upon orders of the New York customers, insists that a distinction is to be taken between a tax laid on sales made, without previous contract, after the merchandise has crossed the State boundary, and sales, the contracts for which when made contemplate or require the transportation of merchandise interstate to the taxing State. Only the

sales in the State of destination in the latter class of cases, it is said, are protected from taxation by the commerce clause, a qualification which respondent concedes is a salutary limitation upon the reach of the clause since its use is thus precluded as a means of avoiding State taxation of merchandise transported to the State in advance of the purchase order or contract of sale.

"But we think this distinction is without the support of reason or authority. A very large part, if not most of the merchandise sold in New York City, is shipped interstate to that market. In the case of products like cotton, citrus fruits and coal, not to mention many others which are consumed there in vast quantities, all have crossed the State line to seek a market, whether in fulfillment of a contract or not. That is equally the case with other goods sent from without the State to the New York market, whether they are brought into competition with like goods produced within the State or not. We are unable to say that the present tax, laid generally upon all sales to consumers within the State, subjects the commerce involved where the goods sold are brought from other States, to any greater burden or affects it more, in any economic or practical way, whether the purchase order or contract precedes or follows the interstate shipment. Since the tax applies only if a sale is made, and in either case the object of interstate shipment is a sale at destination, the deterrent effect of the tax would seem to be the same on both. Restriction of the scope of the commerce clause so as to prevent recourse to it as a means of curtailing State taxing power seems as salutary in the one case as in the other."

The logic of this decision would appear to impel a conclusion that interisland sales of goods in Hawaii would be subject to the taxing jurisdiction of that State, even though the goods had to move across waters outside the State in the course of their delivery from the vendor to the purchaser, provided the jurisdiction was exercised in a manner that did not discriminate against the interisland sales.



86TH CONGRESS
1ST SESSION

Calendar No. 75

S. 50

[Report No. 80]

IN THE SENATE OF THE UNITED STATES

JANUARY 9 (legislative day, JANUARY 8), 1959

Mr. MURRAY (for himself, Mr. ALLOTT, Mr. ANDERSON, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. CANNON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. CURTIS, Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FREAR, Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. KUCHEL, Mr. LONG, Mr. MCCARTHY, Mr. MCGEE, Mr. MCNAMARA, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs. SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

MARCH 5, 1959

Reported by Mr. JACKSON, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To provide for the admission of the State of Hawaii into the
Union.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That, subject to the provisions of this Act, and upon issu-
2 ance of the proclamation required by section 7 (c) of this
3 Act, the State of Hawaii is hereby declared to be a State of
4 the United States of America, is declared admitted into the
5 Union on an equal footing with the other States in all re-
6 spects whatever, and the constitution formed pursuant to
7 the provisions of the Act of the Territorial Legislature of
8 Hawaii entitled "An Act to provide for a constitutional con-
9 vention, the adoption of a State constitution, and the for-
10 warding of the same to the Congress of the United States,
11 and appropriating money therefor", approved May 20,
12 1949 (Act 334, Session Laws of Hawaii, 1949), and
13 adopted by a vote of the people of Hawaii in the election
14 held on November 7, 1950, is hereby found to be republican
15 in form and in conformity with the Constitution of the
16 United States and the principles of the Declaration of Inde-
17 pendence, and is hereby accepted, ratified, and confirmed.

18 SEC. 2. The State of Hawaii shall consist of all the
19 islands, together with their appurtenant reefs and territorial
20 waters, included in the Territory of Hawaii on the date of
21 enactment of this Act, except the atoll known as Palmyra
22 Island, together with its appurtenant reefs and territorial
23 waters, but said State shall not be deemed to include the
24 Midway Islands, Johnston Island, Sand Island (offshore

1 from Johnston Island), or Kingman Reef, together with
2 their appurtenant reefs and territorial waters.

3 SEC. 3. The constitution of the State of Hawaii shall
4 always be republican in form and shall not be repugnant
5 to the Constitution of the United States and the principles
6 of the Declaration of Independence.

7 SEC. 4. As a compact with the United States relating
8 to the management and disposition of the Hawaiian home
9 lands, the Hawaiian Homes Commission Act, 1920, as
10 amended, *is shall be* adopted as a ~~law~~ *provision of the Con-*
11 *stitution* of said State, *as provided in section 7, subsection (b)*
12 *of this Act*, subject to amendment or repeal only with the
13 consent of the United States, and in no other manner: *Pro-*
14 *vided*, That (1) sections 202, 213, 219, 220, 222, 224, and
15 225 and other provisions relating to administration, and
16 paragraph (2) of section 204, sections 206 and 212, and
17 other provisions relating to the powers and duties of officers
18 other than those charged with the administration of said
19 Act, may be amended in the constitution, or in the manner
20 required for ~~ordinary~~ State legislation, but the Hawaiian
21 home-loan fund, the Hawaiian home-operating fund, and
22 the Hawaiian home-development fund shall not be reduced
23 or impaired by any such amendment ~~or law~~, whether made
24 in the constitution or in the manner required for ~~ordinary~~

1 State legislation, and the encumbrances authorized to be
2 placed on Hawaiian home lands by officers other than those
3 charged with the administration of said Act, shall not be
4 increased, except with the consent of the United States;
5 (2) that any amendment to increase the benefits to lessees
6 of Hawaiian home lands may be made in the constitution,
7 or in the manner required for ordinary State legislation, but
8 the qualifications of lessees shall not be changed except with
9 the consent of the United States; and (3) that all proceeds
10 and income from the "available lands", as defined by said Act,
11 shall be used only in carrying out the provisions of said Act.
12 It is further agreed that neither the State of Hawaii nor any
13 subdivision thereof shall take any action or enact or enforce
14 any law or regulation which imposes a tax, requirement or
15 restriction which unreasonably discriminates directly or in-
16 directly against nonresident persons, firms or corporations,
17 their business, property, or occupational activities or oppor-
18 tunities.

19 SEC. 5. (a) *Except as provided in subsection (c) of*
20 *this section, the State of Hawaii and its political subdivisions,*
21 *as the case may be, shall succeed to the title of the Territory*
22 *of Hawaii and its subdivisions in those lands and other prop-*
23 *erties in which the Territory and its subdivisions now hold*
24 *title have and retain all the lands and other public property*
25 *title to which is in the Territory of Hawaii or a political*

1 subdivision thereof, except as herein provided, and all such
2 lands and other property shall remain and be the absolute
3 property of the State of Hawaii and its political subdivisions,
4 as the case may be, subject to the constitution and laws of
5 said State: *Provided, however, That* as to any such lands or
6 other property heretofore or hereafter set aside by Act of
7 Congress or by Executive order or proclamation of the Presi-
8 dent or the Governor of Hawaii, pursuant to law, for the use
9 of the United States, whether absolutely or subject to limi-
10 tations, and remaining so set aside immediately prior to the
11 admission of the State of Hawaii into the Union, the United
12 States shall be and become vested with absolute title thereto,
13 or an interest therein conformable to such limitations, as the
14 case may be.

15 (b) *Except as provided in subsection (c) and (d) of*
16 *this section,* the United States hereby grants to the State of
17 Hawaii, effective upon the date of its admission into the
18 Union, the absolute *United States'* title to all the public
19 lands and other public property within the boundaries of
20 the State of Hawaii, as described herein, title to which is
21 ~~in~~ *held by* the United States immediately prior to the ~~its~~
22 admission of such State into the Union, *Union.* except as
23 otherwise provided in this Act: *Provided, however, That*
24 as to any such lands or other property heretofore or here-
25 after set aside by Act of Congress or by Executive order or

1 proclamation of the President or the Governor of Hawaii,
 2 pursuant to law, for the use of the United States, whether
 3 absolutely or subject to limitations, and remaining so set
 4 aside immediately prior to the admission of the State of
 5 Hawaii into the Union, the United States shall retain abso-
 6 lute title thereto, or an interest therein conformable to such
 7 limitations, as the case may be. As used in this subsection,
 8 the term "public lands and other public property" means,
 9 and is limited to, the lands and other properties that were
 10 ceded to the United States by the Republic of Hawaii under
 11 the joint resolution of annexation approved July 7, 1898
 12 (30 Stat. 750), or that have been acquired in exchange for
 13 lands or other properties so ceded. The lands *grant* hereby
 14 *granted made* shall be in lieu of any and all grants provided
 15 for new States by provisions of law other than this Act, and
 16 such grants shall not extend to the State of Hawaii.

17 (c) The lands granted to the State of Hawaii pursuant
 18 to the preceding subsection, together with the proceeds there-
 19 of and the income therefrom, *Any lands and other properties*
 20 *that, on the date Hawaii is admitted into the Union, are set*
 21 *aside pursuant to law for the use of the United States under*
 22 *any (1) Act of Congress, (2) Executive order, (3) procla-*
 23 *mation of the President, or (4) proclamation of the Governor*
 24 *of Hawaii shall remain the property of the United States*

1 subject only to the limitations, if any, imposed under (1),
2 (2), (3), or (4), as the case may be.

3 (d) Any public lands or other public property that is
4 conveyed to the State of Hawaii by subsection (b) of this
5 section but that, immediately prior to the admission of said
6 State into the Union, is controlled by the United States
7 pursuant to permit, license, or permission, written or verbal,
8 from the Territory of Hawaii or any department thereof
9 may, at any time during the five years following the admis-
10 sion of Hawaii into the Union, be set aside by Act of Con-
11 gress or by Executive order of the President, made pursuant
12 to law, for the use of the United States, and the lands or
13 property so set aside shall, subject only to valid rights then
14 existing, be the property of the United States.

15 (e) Within five years from the date Hawaii is admitted
16 into the Union, each Federal agency having control over
17 any land or property that is retained by the United States
18 pursuant to subsections (c) and (d) of this section shall
19 report to the President the facts regarding its continued need
20 for such land or property, and if the President determines
21 that the land or property is no longer needed by the United
22 States it shall be conveyed to the State of Hawaii.

23 (f) The lands granted to the State of Hawaii by subsec-
24 tion (b) of this section and public lands retained by the

1 *United States under subsections (c) and (d) and later con-*
2 *veyed to the State under subsection (e), together with the*
3 *proceeds from the sale or other disposition of any such lands*
4 *and the income therefrom, shall be held by said State as a*
5 *public trust for the support of the public schools and other*
6 *public educational institutions, for the betterment of the con-*
7 *ditions of native Hawaiians, as defined in the Hawaiian*
8 *Homes Commission Act, 1920, as amended, for the develop-*
9 *ment of farm and home ownership on as widespread a basis*
10 *as possible for the making of public improvements, and for*
11 *the provision of lands for public use. Such lands, proceeds,*
12 *and income shall be managed and disposed of for one or more*
13 *of the foregoing purposes in such manner as the constitution*
14 *and laws of said State may provide, and their use for any*
15 *other object shall constitute a breach of trust for which suit*
16 *may be brought by the United States. The schools and other*
17 *educational institutions supported, in whole or in part, out*
18 *of such public trust shall forever remain under the exclusive*
19 *control of said State; and no part of the proceeds or income*
20 *from the lands granted under the preceding subsection this*
21 *Act shall be used for the support of any sectarian or de-*
22 *nominal school, college, or university.*

23 *(g) As used in this Act, the term "lands and other*
24 *properties" includes public lands and other public property,*
25 *and the term "public lands and other public property" means,*

1 *and is limited to, the lands and properties that were ceded*
 2 *to the United States by the Republic of Hawaii under the*
 3 *joint resolution of annexation approved July 7, 1898 (30*
 4 *Stat. 750), or that have been acquired in exchange for lands*
 5 *or properties so ceded.*

6 *(h) All laws of the United States reserving to the United*
 7 *States the free use or enjoyment of property which vests in or*
 8 *is conveyed to the State of Hawaii or its political subdivisions*
 9 *pursuant to subsection (a), (b), or (e) of this section or*
 10 *reserving the right to alter, amend, or repeal laws relating*
 11 *thereto shall cease to be effective upon the admission of the*
 12 *State of Hawaii into the Union.*

13 ~~(d) Effective upon the admission of the State of Hawaii~~
 14 ~~into the Union all laws of the United States reserving to~~
 15 ~~the United States the free use or enjoyment of property~~
 16 ~~hereinabove vested in the State of Hawaii or its political~~
 17 ~~subdivisions, or the right to alter, amend, or repeal laws~~
 18 ~~relating thereto, are hereby repealed.~~

19 ~~(e)~~ *(i) The Submerged Lands Act of 1953 (Public*
 20 *Law 31, Eighty-third Congress, first session; 67 Stat. 29)*
 21 *and the Outer Continental Shelf Lands Act of 1953 (Public*
 22 *Law 212, Eighty-third Congress, first session, 67 Stat. 462)*
 23 *shall be applicable to the State of Hawaii, and the said State*
 24 *shall have the same rights as do existing States thereunder.*

1 SEC. 6. ~~Upon~~ *As soon as possible after the enactment of*
2 *this Act, it shall be the duty of the President of the United*
3 *States to certify such fact to the Governor of the Territory*
4 *of Hawaii. Thereupon the Governor of the Territory shall,*
5 *within thirty days after receipt of the official notification of*
6 *such approval, issue his proclamation for the elections, as*
7 *hereinafter provided, for officers of all State elective offices*
8 *provided for by the constitution of the proposed State of*
9 *Hawaii, and for two Senators and one Representative in*
10 *Congress. In the first election of Senators from said State*
11 *the two senatorial offices shall be separately identified and*
12 *designated, and no person may be a candidate for both offices.*
13 *No identification or designation of either of the two senatorial*
14 *offices, however, shall refer to or be taken to refer to the term*
15 *of that office, nor shall any such identification or designation*
16 *in any way impair the privilege of the Senate to determine*
17 *the class to which each of the Senators elected shall be*
18 *assigned. but the officers so elected shall in any event include*
19 *two Senators and two Representatives in Congress. Until*
20 *and unless otherwise required by the constitution or laws of*
21 *said proposed State, said Representatives shall be elected at*
22 *large.*

23 SEC. 7. (a) The proclamation of the Governor of
24 Hawaii required by section 6 shall provide for the holding
25 of a primary election ~~not less than sixty nor more than~~

1 ninety days after said proclamation, and a general election
 2 shall take place within forty days after said primary election,
 3 and a general election and at such elections the officers re-
 4 quired to be elected as provided in section 6 shall be *chosen*
 5 *by the people.* and officers for other elective offices provided
 6 for in the constitution of the proposed State of Hawaii may
 7 be, ~~chosen~~ by the people. Such elections shall be held,
 8 and the qualifications of voters thereat shall be, as prescribed
 9 by the constitution of the proposed State of Hawaii for the
 10 election of members of the proposed State legislature. The
 11 returns thereof shall be made and certified in such manner as
 12 the constitution of the proposed State of Hawaii may pre-
 13 scribe. The Governor of Hawaii shall certify the results of
 14 said elections, as so ascertained, to the President of the
 15 United States.

16 (b) At an election designated by proclamation of the
 17 Governor of Hawaii, which may be *either the primary or*
 18 the general election held pursuant to subsection (a) of this
 19 section, or a Territorial general election, or a special election,
 20 there shall be submitted to the electors qualified to vote in
 21 said election, for adoption or rejection, the following
 22 propositions:

23 “(1) Shall Hawaii immediately be admitted into the
 24 Union as a State?

25 “~~(1)~~ (2) The boundaries of the State of Hawaii

1 shall be as prescribed in the Act of Congress ap-
 2 proved -----, and all claims
 (Date of approval of this Act)
 3 of this State to any areas of land or sea outside the bound-
 4 aries so prescribed are hereby irrevocably relinquished to
 5 the United States.

6 “(2) (3) All provisions of the Act of Congress
 7 approved ----- reserving rights
 (Date of approval of this Act)
 8 or powers to the United States, as well as those prescribing
 9 the terms or conditions of the grants of lands or other
 10 property therein made to the State of Hawaii are consented
 11 to fully by said State and its people.”

12 In the event the foregoing propositions are adopted
 13 at said election by a majority of the legal votes cast on
 14 said submission, the proposed constitution of the proposed
 15 State of Hawaii, ratified by the people at the election held
 16 on November 7, 1950, shall be deemed amended as follows:
 17 Section 1 of article XIII of said proposed constitution
 18 shall be deemed amended so as to contain the language of
 19 section 2 of this Act in lieu of any other language; *article XI*
 20 *shall be deemed to include the provisions of section 4 of this*
 21 *Act*; and section 8 of article XIV shall be deemed amended
 22 so as to contain the language of the ~~second~~ *third* proposition
 23 above stated in lieu of any other ~~language~~ *language*, and
 24 *section 10 of article XVI shall be deemed amended by in-*
 25 *serting the words “at which officers for all state elective offices*

1 *provided for by this constitution and two Senators and one*
2 *Representative in Congress shall be nominated and elected”*
3 *in lieu of the words “at which officers for all state elective*
4 *offices provided for by this constitution shall be nominated*
5 *and elected; but the officers so to be elected shall in any event*
6 *include two Senators and two Representatives to the Congress,*
7 *and unless and until otherwise required by law, said Repre-*
8 *sentatives shall be elected at large”.*

9 In the event the foregoing propositions are not adopted
10 at said election by a majority of the legal votes cast on said
11 submission, the provisions of this Act shall ~~thereupon~~ cease
12 to be effective.

13 The Governor of Hawaii is hereby authorized and
14 directed to take such action as may be necessary or appro-
15 priate to insure the submission of said propositions to the
16 people. The return of the votes cast on said propositions
17 shall be made by the election officers directly to the Secre-
18 tary of Hawaii, who shall certify the results of the submission
19 to the Governor. The Governor shall certify the results of
20 said submission, as so ascertained, to the President of the
21 United States.

22 (c) If the President shall find that the propositions set
23 forth in the preceding subsection have been duly adopted by
24 the people of Hawaii, the President, upon certification of the
25 returns of the election of the officers required to be elected as

1 provided in section 6 of this Act, shall thereupon issue his
2 proclamation announcing the results of said election as so
3 ascertained. Upon the issuance of said proclamation by the
4 President, the ~~State~~ *Territory* of Hawaii shall be deemed
5 admitted into the Union as provided in section 1 of this Act.

6 Until the said ~~State~~ *Territory* is so admitted into the
7 Union, *the persons holding legislative, executive, and judicial*
8 *office in, under, or by authority of the government of said*
9 *Territory, and all of the officers of said Territory, including*
10 *the Delegate in Congress from said Territory, thereof, shall*
11 *continue to discharge the duties of their respective offices.*
12 Upon the issuance of said proclamation by the President of
13 the United States and the admission of the State of
14 Hawaii into the Union, the officers elected at said election,
15 and qualified under the provisions of the constitution and
16 laws of said State, shall proceed to exercise all the functions
17 pertaining to their offices in, ~~or~~ under, or by authority of the
18 government of said State, and officers not required to be
19 elected at said initial election shall be selected or continued
20 in office as provided by the constitution and laws of said
21 State. The Governor of said State shall certify the election
22 of the Senators and ~~Representatives~~ *Representative* in the
23 manner required by law, and the said Senators and ~~Repre-~~
24 ~~sentatives~~ *Representative* shall be entitled to be admitted to
25 seats in Congress and to all the rights and privileges of

1 Senators and Representatives of other States in the Congress
2 of the United States.

3 SEC. 8. The State of Hawaii upon its admission into
4 the Union shall be entitled to ~~two Representatives~~ *one Rep-*
5 *resentative* until the taking effect of the next reapportion-
6 ment, and such ~~Representatives~~ *Representative* shall be in
7 addition to the membership of the House of Representatives
8 as now prescribed by law: *Provided*, That such temporary
9 increase in the membership shall not operate to either in-
10 crease or decrease the permanent membership of the House
11 of Representatives as prescribed in the Act of August 8,
12 1911 (37 Stat. 13), nor shall such temporary increase affect
13 the basis of apportionment established by the Act of Novem-
14 ber 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the
15 Eighty-third Congress and each Congress thereafter.

16 SEC. 9. Effective upon the admission of the State of
17 Hawaii into the Union—

18 (a) the United States District Court for the District
19 of Hawaii established by and existing under title 28 of
20 the United States Code shall thenceforth be a court of
21 the United States with judicial power derived from
22 article III, section 1, of the Constitution of the United
23 States: *Provided, however*, That the terms of office of
24 the district judges for the district of Hawaii then in
25 office shall terminate upon the effective date of this sec-

1 tion and the President, pursuant to sections 133 and
2 134 of title 28, United States Code, as amended by
3 this Act, shall appoint, by and with the advice and
4 consent of the Senate, two district judges for the said
5 district who shall hold office during good behavior;

6 (b) the last paragraph of section 133 of title 28,
7 United States Code, is repealed; and

8 (c) subsection (a) of section 134 of title 28,
9 United States Code, is amended to read as follows:

10 ~~“(a) The district judges, except in Puerto Rico, shall~~
11 ~~hold office during good behavior. The district judge in~~
12 ~~Puerto Rico shall hold office for the term of eight years, and~~
13 ~~until his successor is appointed and qualified.” by striking~~
14 ~~out the words “Hawaii and”. The second sentence of the~~
15 ~~same section is amended by striking out the words “Hawaii~~
16 ~~and”, “six and”, and “respectively”.~~

17 SEC. 10. Effective upon the admission of the State of
18 Hawaii into the Union the second paragraph of section 451
19 of title 28, United States Code, is amended by striking out
20 the words “including the district courts of the United States
21 for the districts of Hawaii and Puerto Rico,” and inserting
22 in lieu thereof the words “including the United States
23 District Court for the District of Puerto Rico,”.

24 SEC. 11. Effective upon the admission of the State
25 of Hawaii into the Union—

1 (a) the last paragraph of section 501 of title 28,
2 United States Code, is repealed;

3 (b) the first sentence of subsection (a) of section
4 504 of title 28, United States Code, is amended by
5 striking out at the end thereof the words “, except in the
6 district of Hawaii, where the term shall be six years”;

7 (c) the first sentence of subsection (c) of section
8 541 of title 28, United States Code, is amended by
9 striking out at the end thereof the words “, except in the
10 district of Hawaii where the term shall be six years”;
11 and

12 (d) subsection (d) of section 541 of title 28,
13 United States Code, is repealed.

14 SEC. 12. No writ, action, indictment, cause, or pro-
15 ceeding pending in any court of the Territory of Hawaii
16 or in the United States District Court for the District
17 of Hawaii shall abate by reason of the admission of
18 said State into the Union, but the same shall be trans-
19 ferred to and proceeded with in such appropriate State
20 courts as shall be established under the constitution of said
21 State, or shall continue in the United States District Court
22 for the District of Hawaii, as the nature of the case may
23 require. And no *writ, action, indictment, action, cause* or
24 ~~proceedings~~ *proceeding* shall abate by reason of any change
25 in the courts, but shall be proceeded with in the State or

1 United States courts according to the laws thereof, respec-
2 tively. And the appropriate State courts shall be the suc-
3 cessors of the courts of the Territory as to all cases arising
4 within the limits embraced within the jurisdiction of such
5 courts, respectively, with full power to proceed with the same,
6 and award mesne or final process therein, and all the files,
7 records, indictments, and proceedings relating to any such
8 ~~cases~~ *writ, action, indictment, cause or proceeding* shall be
9 transferred to such appropriate State courts and the same
10 shall be proceeded with therein in due course of law.

11 All civil causes of action and all criminal offenses which
12 shall have arisen or been committed prior to the admission
13 of said State, but as to which no ~~suit~~ *writ, action, indictment*
14 or ~~prosecution~~ *proceeding* shall be pending at the date of such
15 admission, shall be subject to prosecution in the appropriate
16 State courts or in the United States District Court for the
17 District of Hawaii in like manner, to the same extent, and
18 with like right of appellate review, as if said State had been
19 created and said State courts had been established prior to
20 the accrual of such causes of action or the commission of such
21 offenses. The admission of said State shall effect no change
22 in the substantive or criminal law governing such causes of
23 action and criminal offenses which shall have arisen or been
24 committed; and such of said criminal offenses as shall have
25 been committed against the laws of the Territory shall be

1 tried and punished by the appropriate courts of said State,
2 and such as shall have been committed against the laws of
3 the United States shall be tried and punished in the United
4 States District Court for the District of Hawaii.

5 SEC. 13. Parties shall have the same rights of appeal
6 from and appellate review of final decisions of the United
7 States District Court for the District of Hawaii or the
8 Supreme Court of the Territory of Hawaii in any case
9 finally decided prior to admission of said State into the
10 Union, whether or not an appeal therefrom shall have been
11 perfected prior to such admission, and the United States
12 Court of Appeals for the Ninth Circuit and the Supreme
13 Court of the United States shall have the same jurisdiction
14 therein, as by law provided prior to admission of said State
15 into the Union, and any mandate issued subsequent to the
16 admission of said State shall be to the United States District
17 Court for the District of Hawaii or a court of the State, as
18 may be appropriate. Parties shall have the same rights
19 of appeal from and appellate review of all orders, judgments,
20 and decrees of the United States District Court for the
21 District of Hawaii and of the Supreme Court of the State of
22 Hawaii as successor to the Supreme Court of the Territory
23 of Hawaii, in any case pending at the time of admission of
24 said State into the Union, and the United States Court of
25 Appeals for the Ninth Circuit and the Supreme Court of the

1 United States shall have the same jurisdiction therein, as by
2 law provided in any case arising subsequent to the admission
3 of said State into the Union.

4 SEC. 14. Effective upon the admission of the State of
5 Hawaii into the Union—

6 (a) title 28, United States Code, section 1252, is
7 amended by striking out “Hawaii and” from the clause
8 relating to courts of record;

9 (b) title 28, United States Code, section 1293, is
10 amended by striking out the words “First and Ninth
11 Circuits” and by inserting in lieu thereof “First Circuit”,
12 and by striking out the words, “supreme courts of
13 Puerto Rico and Hawaii, respectively” and inserting in
14 lieu thereof “supreme court of Puerto Rico”;

15 (c) title 28, United States Code, section 1294, *as*
16 *amended*, is *further* amended by striking out paragraph
17 ~~(5)~~ (4) thereof and by renumbering paragraphs ~~(6)~~
18 ~~(5)~~ and ~~(7)~~ (6) ~~as paragraphs (4) and (5) respec-~~
19 ~~tively; accordingly;~~

20 (d) the first paragraph of section 373 of title 28,
21 United States Code, *as amended*, is *further* amended by
22 striking out the words “United States District Courts for
23 the districts of Hawaii or Puerto Rico,” and inserting in
24 lieu thereof the words “United States District Court for

1 the District of Puerto Rico,"; and by striking out the
2 words "and any justice of the Supreme Court of the
3 Territory of Hawaii": *Provided*, That the amendments
4 made by this subsection shall not affect the rights of any
5 judge or justice who may have retired before the effec-
6 tive date of this subsection: *And provided further*, That
7 service as a judge of the District Court for the Territory
8 of Hawaii or as a judge of the United States District
9 Court for the District of Hawaii or as a justice of the
10 Supreme Court of the Territory of Hawaii or as a judge of
11 the circuit courts of the Territory of Hawaii shall be in-
12 cluded in computing under section 371, 372, or 373
13 of title 28, United States Code, the aggregate years of
14 judicial service of any person who is in ~~commission~~ office
15 as a district judge for the District of Hawaii on the date
16 of enactment of this Act;

17 (e) section 92 of the Act of April 30, 1900 (ch.
18 339, 31 Stat. 159), as amended, and the Act of May 29,
19 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

20 (f) section 86 of the Act approved April 30, 1900
21 (ch. 339, 31 Stat. 158), as amended, is repealed;

22 (g) section 3771 of title 18, United States Code,
23 as heretofore amended, is further amended by striking
24 out from the first paragraph of such section the words

1 “Supreme Courts of Hawaii and Puerto Rico” and
2 inserting in lieu thereof the words “Supreme Court of
3 Puerto Rico”;

4 (h) section 3772 of title 18, United States Code, as
5 heretofore amended, is further amended by striking out
6 from the first paragraph of such section the words
7 “Supreme Courts of Hawaii and Puerto Rico” and
8 inserting in lieu thereof the words “Supreme Court of
9 Puerto Rico”;

10 (i) section 91 of title 28, United States Code, as
11 heretofore amended, is further amended by inserting
12 after “Kure Island” and before “Baker Island” the
13 words “Palmyra Island,”; and

14 (j) the Act of June 15, 1950 (64 Stat. 217; 48
15 U.S.C., sec. 644a), is amended by inserting after
16 “Kure Island” and before “Baker Island” the words
17 “Palmyra Island,”.

18 SEC. 15. All Territorial laws in force in the Territory
19 of Hawaii at the time of its admission into the Union
20 shall continue in force in the State of Hawaii, except as
21 modified or changed by this Act or by the constitution
22 of the State, and shall be subject to repeal or amendment by
23 the Legislature of the State of Hawaii, except as ~~herein~~
24 ~~before~~ provided *in section 4 of this Act* with respect to
25 the Hawaiian Homes Commission Act, 1920, as amended:

1 and the laws of the United States shall have the same force
2 and effect within the said State as elsewhere within the
3 United States: *Provided, That, except as herein otherwise*
4 *provided, a Territorial law enacted by the Congress shall*
5 *be terminated two years after the date of admission of the*
6 *State of Hawaii into the Union or upon the effective date*
7 *of any law enacted by the State of Hawaii which amends*
8 *or repeals it, whichever may occur first.* As used in this
9 section, the term "Territorial laws" includes (in addition
10 to laws enacted by the Territorial Legislature of Hawaii)
11 all laws or parts thereof enacted by the Congress the
12 validity of which is dependent solely upon the authority
13 of the Congress to provide for the government of Hawaii
14 prior to ~~the its~~ admission ~~of the State of Hawaii~~ into the
15 Union, and the term "laws of the United States" includes
16 all laws or parts thereof enacted by the Congress that
17 (1) apply to or within Hawaii at the time of ~~the its~~
18 admission ~~of the State of Hawaii~~ into the Union, (2) are
19 not "Territorial laws" as defined in this paragraph, and (3)
20 are not in conflict with any other provision of this Act.

21 SEC. 16. (a) Notwithstanding the admission of the
22 State of Hawaii into the Union, the United States shall con-
23 tinue to have sole and exclusive jurisdiction over the area
24 which may then or thereafter be included in Hawaii National
25 Park, saving, however, to the State of Hawaii the same

1 rights as are reserved to the Territory of Hawaii by section
2 1 of the Act of April 19, 1930 (46 Stat. 227), and saving,
3 further, to persons then or thereafter residing within such
4 area the right to vote at all elections held within the political
5 subdivisions where they respectively reside. Upon the ad-
6 mission of said State all references to the Territory of Hawaii
7 in said Act or in other laws relating to Hawaii National
8 Park shall be deemed to refer to the State of Hawaii. Noth-
9 ing contained in this Act shall be construed to affect the
10 ownership and control by the United States of any lands or
11 other property within Hawaii National Park which may now
12 belong to, or which may hereafter be acquired by, the United
13 States.

14 (b) Notwithstanding the admission of the State of Ha-
15 waii into the Union, authority is reserved in the United
16 States, subject to the proviso hereinafter set forth, for the
17 exercise by the Congress of the United States of the power of
18 exclusive legislation, as provided by article I, section 8, clause
19 17, of the Constitution of the United States, in all cases what-
20 soever over such tracts or parcels of land as, immediately
21 prior to the admission of said State, are controlled or owned
22 by the United States and held for Defense or Coast Guard
23 purposes, whether such lands were acquired by cession
24 and transfer to the United States by the Republic of
25 Hawaii and set aside by Act of Congress or by Executive

1 order or proclamation of the President or the Governor of
2 Hawaii for the use of the United States, or were acquired by
3 the United States by purchase, condemnation, donation, ex-
4 change, or otherwise: *Provided*, (i) That the State of Ha-
5 waii shall always have the right to serve civil or criminal
6 process within the said tracts or parcels of land in suits or
7 prosecutions for or on account of rights acquired, obligations
8 incurred, or crimes committed within the said State but out-
9 side of the said tracts or parcels of land; (ii) that the reser-
10 vation of authority in the United States for the exercise by
11 the Congress of the United States of the power of exclusive
12 legislation over the lands aforesaid shall not operate to pre-
13 vent such lands from being a part of the State of Hawaii, or
14 to prevent the said State from exercising over or upon such
15 lands, concurrently with the United States, any jurisdiction
16 whatsoever which it would have in the absence of such res-
17 ervation of authority and which is consistent with the laws
18 hereafter enacted by the Congress pursuant to such reser-
19 vation of authority; and (iii) that such power of exclusive
20 legislation shall vest and remain in the United States only
21 so long as the particular tract or parcel of land involved is
22 *controlled or owned by the United States and used for*
23 ~~military, naval, Air Force, Defense~~ or Coast Guard pur-
24 poses: : *Provided, however, That the United States shall con-*
25 *tinue to have sole and exclusive jurisdiction over such mili-*

1 tary installations as have been heretofore or hereafter de-
 2 termined to be critical areas as delineated by the President
 3 of the United States and/or the Secretary of Defense.

4 SEC. 17. *The next to last sentence of the first paragraph*
 5 *of section 2 of the Federal Reserve Act (38 Stat. 251) as*
 6 *amended by section 19 of the Act of July 7, 1958, (72 Stat.*
 7 *339, 350) is amended by striking out the last sentence*
 8 *thereof and inserting in lieu of such sentence the follow-*
 9 *ing: "When the State of Hawaii or any State is here-*
 10 *after admitted to the Union the Federal Reserve districts*
 11 *shall be readjusted by the Board of Governors of the Federal*
 12 *Reserve System in such manner as to include such State.*
 13 *Every national bank in any State shall, upon commencing*
 14 *business or within ninety days after admisison into the Union*
 15 *of the State in which it is located, become a member bank*
 16 *of the Federal Reserve System by subscribing and paying*
 17 *for stock in the Federal Reserve bank of its district in ac-*
 18 *cordance with the provisions of this Act and shall thereupon*
 19 *be an insured bank under the Federal Deposit Insurance*
 20 *Act, and failure to do so shall subject such bank to the pen-*
 21 *alty provided by the sixth paragraph of this section."* *by*
 22 *inserting after the word "Alaska" the words "or Hawaii."*

23 SEC. 18. (a) Nothing contained in this or any other
 24 Act shall be construed as depriving the Federal Maritime
 25 Board of the exclusive jurisdiction heretofore conferred on

1 it over common carriers engaged in transportation by water
 2 between any port in the State of Hawaii and other ports
 3 in the United States, ~~its Territories~~ or possessions, or as
 4 conferring on the Interstate Commerce Commission juris-
 5 diction over transportation by water between any such ports.

6 (b) Effective on the admission of the State of Hawaii
 7 into the Union—

8 (1) the first sentence of section 506 of the Merchant
 9 Marine Act, 1936, as amended (46 U.S.C., sec. 1156),
 10 is amended by inserting before the words “~~and an~~ *an*
 11 island possession or island territory”, the words “the
 12 State of Hawaii, or”;

13 (2) section 605 (a) of the Merchant Marine Act,
 14 1936, as amended (46 U.S.C., sec. 1175), is amended
 15 by inserting before the words “~~an~~ *an* island possession or
 16 island territory”, the words “the State of Hawaii, or”;
 17 and

18 (3) the second paragraph of section 714 of the
 19 Merchant Marine Act, 1936, as amended (46 U.S.C.,
 20 sec. 1204), is amended by inserting before the words
 21 “~~an~~ *an* island possession or island territory” the words “the
 22 State of Hawaii, or”.

23 SEC. 19. Nothing contained in this Act shall operate to
 24 confer United States nationality, nor to terminate nation-
 25 ality heretofore lawfully acquired, ~~nor~~ *or* restore nationality .

1 heretofore lost under any law of the United States or under
 2 any treaty to which the United States ~~may have been~~ *is or*
 3 *was* a party.

4 SEC. 20. (a) Section 101 (a) (36) of the Immigration
 5 and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101 (a)
 6 (36)) is amended by deleting the word "Hawaii,".

7 ~~SEC. 21.~~ (b) Section 212 (d) (7) of the Immigration
 8 and Nationality Act (66 Stat. 188, 8 U.S.C. 1182 (d) (7))
 9 is amended by deleting from the ~~third line of the~~ first sen-
 10 tence thereof the word "Hawaii," and by deleting the proviso
 11 ~~contained in the~~ *to said* first sentence ~~thereof~~.

12 ~~SEC. 22.~~ (c) The first sentence of *section* 310 (a) of
 13 the Immigration and Nationality Act, *as amended* (66
 14 Stat. 239, 8 U.S.C. 1421 (a), 72 Stat. 351) is further
 15 amended by deleting the words "~~District Courts of~~
 16 ~~the United States for the Territories of Hawaii and Alaska~~"
 17 and substituting therefor the words "~~District Court of the~~
 18 ~~United States for the Territory of Alaska~~". "*for the Terri-*
 19 *tory of Hawaii, and*".

20 ~~SEC. 23.~~ (d) Nothing contained in this Act shall be held
 21 to repeal, amend, or modify the provisions of section 305
 22 of the Immigration and Nationality Act (66 Stat. 237, 8
 23 U.S.C. 1405).

24 SEC. 21. *Effective upon the admission of the State of*
 25 *Hawaii into the Union, section 3, subsection (b), of the Act*

1 of September 7, 1957 (71 Stat. 629), is amended by substi-
2 tuting the words "State of Hawaii" for the words "Territory
3 of Hawaii".

4 SEC. 24 22. If any provision of this Act, or any section,
5 subsection, sentence, clause, phrase, or individual word, or
6 the application thereof to ~~any person~~ or circumstance is
7 held invalid, the validity of the remainder of the Act and
8 of the application of any such provision, section, subsection,
9 sentence, clause, phrase, or individual word to ~~other persons~~
10 ~~and~~ in other circumstances shall not be affected thereby.

11 SEC. 25 23. All Acts or parts of Acts in conflict with
12 the provisions of this Act, whether passed by the legislature
13 of said Territory or by Congress, are hereby repealed.

A BILL

To provide for the admission of the State of
Hawaii into the Union.

BY Mr. MERRAY, Mr. ALLOTT, Mr. ANDERSON, Mr.
BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr.
CANNON, Mr. CARROLL, Mr. CASE of South Dakota,
Mr. CASE of New Jersey, Mr. CHAVEZ, Mr.
CHURCH, Mr. CLARK, Mr. COOPER, Mr. CURTIS,
Mr. DIRKSEN, Mr. DOUGLAS, Mr. ENGLE, Mr. FEAR,
Mr. GOLDWATER, Mr. GREEN, Mr. GRUENING, Mr.
HART, Mr. HARTKE, Mr. HENNING, Mr. HICKEN-
LOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON,
Mr. JAVITS, Mr. KENNEDY, Mr. KUTCHEL, Mr. LONG,
Mr. MCCARTHY, Mr. MCGEE, Mr. McNAMARA, Mr.
MAGNUSON, Mr. MANSFIELD, Mr. MORSE, Mr. MOR-
TON, Mr. MOSS, Mr. MUSKIE, Mr. NEUBERGER, Mr.
O'MAHONEY, Mr. PASTORE, Mr. PROXMIRE, Mr.
RANDOLPH, Mr. SALTONSTALL, Mr. SCOTT, Mrs.
SMITH, Mr. WILEY, Mr. WILLIAMS of New Jersey,
Mr. YARBOROUGH, Mr. YOUNG of North Dakota,
and Mr. YOUNG of Ohio

JANUARY 9 (legislative day, JANUARY 8), 1959

Read twice and referred to the Committee on Interior
and Insular Affairs

MARCH 5, 1959

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: Sen. Humphrey commended United Nations approval of new international wheat agreement.

HOUSE

- FLOOD PREVENTION.** The Public Works Committee approved a work plan for Lick Creek watershed, Tenn., pursuant to the Watershed Protection and Flood Prevention Act; to Appropriations Committee. p. 3375
- PUBLIC DEBT; BUDGET.** Rep. Vanik criticized the Federal Reserve for raising the interest rates and causing higher costs of obtaining money by the Government and private business. p. 3376
Rep. Budge urged a balanced budget in fiscal year 1960. pp. 3376-7
Rep. Alger inserted a letter urging Government economy. p. 3377
- WATER POLLUTION.** Rep. Dingell inserted two statements showing how water pollution affects many people and urging action to combat the problem. pp. 3377-9

4. RESEARCH. Received from GSA a report on contracts negotiated for experimental, developmental, or research work or for the manufacture or furnishing of property for experimentation, development, research or tests for the 6-month period ended Dec. 31, 1958. p. 3385
5. WILDERNESS PRESERVATION. Received from the Utah Legislature a memorial opposing the wilderness preservation bills. p. 3327
6. HAWAIIAN STATEHOOD. The Rules Committee reported a resolution for the consideration of H. R. 4221, the Hawaiian Statehood bill. pp. D146, 3386
7. LEGISLATIVE PROGRAM. Rep. McCormack stated that the Hawaiian Statehood bill and S. 79, relating to the coloring of oranges, would be considered on March 11. pp. 3384-5

SENATE

8. WHEAT AGREEMENT. Sen. Humphrey commended the approval of a new international wheat agreement by the United Nations Conference of Exporters and Importers, and inserted a newspaper article discussing the agreement. p. 3332
9. SELECTIVE SERVICE. Began debate on H. R. 2260, to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act. pp. 3314, 3336-49, 3352-59, 3362-73
10. ELECTRIFICATION. Sen. Bush inserted an article, "Rural Electrification Subsidies," discussing the REA interest rate proposal and stating, "The controversy over President Eisenhower's plan to help balance the budget by eliminating the Federal interest rate subsidy to borrowers from the Rural Electrification Administration (REA) provides a compelling illustration of how hard it is to withdraw Federal assistance once people have become used to it." pp. 3351-2
11. CHEESE. Sen. Wiley inserted a letter from the Wisc. Cheese Makers' Assoc. to the Secretary recommending the removal of cheeses from the list of price-supported commodities; and stated that he had called the Secretary's office regarding the matter and had been informed that "In the near future I would hear what was the Secretary's reaction to the letter." p. 3316
12. INFLATION. Sen. Butler discussed the danger of inflation, and stated that "More and more we are face to face with the fact that our price and wage structure is becoming less competitive in terms of world markets." pp. 3314-5
Sen. Smathers inserted an article, "Argument for Creeping Inflation," discussing the relationship between increased labor costs and productivity. pp. 3323-4
13. BUDGET. Sen. Byrd, Va., expressed concern over the effects of the proposed housing and airport construction bills on the Federal budget, and inserted tables showing probable expenditures under the bills if they are enacted. pp. 3324-5
14. ROADS. Sen. Cooper inserted an address before the National Crushed Limestone Institute, Inc., discussing "the scope and adequacy of the Nation's highway programs." pp. 3326-7
15. RESEARCH; DISEASE. Sens. Neuberger and Humphrey urged that the U. S. assume international leadership in combating disease, and inserted several articles discussing this matter. pp. 3327-31

CONSIDERATION OF H.R. 4221

MARCH 10, 1959.—Referred to the House Calendar and ordered to be printed

MR. O'NEILL, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 205]

The Committee on Rules, having had under consideration House Resolution 205, report the same to the House with the recommendation that the resolution do pass.



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CHICAGO, ILLINOIS

1960

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House Calendar No. 32

86TH CONGRESS
1ST SESSION

H. RES. 205

[Report No. 198]

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1959

Mr. O'NEILL, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the Union
4 for the consideration of the bill (H.R. 4221) to provide for
5 the admission of the State of Hawaii into the Union. After
6 general debate, which shall be confined to the bill, and shall
7 continue not to exceed six hours, to be equally divided and
8 controlled by the chairman and ranking minority member of
9 the Committee on Interior and Insular Affairs, the bill shall
10 be read for amendment under the five-minute rule. At the
11 conclusion of the consideration of the bill for amendment,
12 the Committee shall rise and report the bill to the House

1 with such amendments as may have been adopted, and the
2 previous question shall be considered as ordered on the bill
3 and amendments thereto to final passage without intervening
4 motion except one motion to recommit.

House Calendar No. 32

80TH CONGRESS
1ST SESSION

H. RES. 205

[Report No. 198]

RESOLUTION

Providing for the consideration of H. R. 4221,
a bill to provide for the admission of the
State of Hawaii into the Union.

By Mr. O'NEILL

MARCH 10, 1959

Referred to the House Calendar and ordered to be
printed

Digest of CONGRESSIONAL PROCEEDINGS

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BUDGET AND FINANCE

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HIGHLIGHTS: Senate committee ordered reported area redevelopment bill. Sen. Williams, Del., criticized price support payments to large producers. Senate passed Hawaiian statehood bill. Sen. Byrd and others submitted and Sen. Byrd discussed measure providing for one general expenditure authorization bill.

SENATE

1. AREA REDEVELOPMENT. The Banking and Currency Committee ordered reported, by a vote of 9 to 6, with amendments S. 722, to establish an effective program to alleviate conditions of unemployment and underemployment in certain economically depressed areas. p. D152
2. STATEHOOD. Passed, 76 to 15, with amendments S. 50, to provide statehood for Hawaii. Agreed to the committee amendments. Agreed to amendments by Sen. Jackson "intended to correct grammatical and typographical errors" in the bill as reported. pp. 3411-16, 3426-75
3. MILITARY SERVICE. Passed, 90 to 1, as reported H. R. 2260, to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act. pp. 3402-11

4. PRICE SUPPORTS. Sen. Williams, Del., criticized price support payments to large producers, rejected the argument of "those who have tried to claim that the Government does not lose money but in effect makes money on the price-support loans because they are always paid off," and stated that "Congress should long ago have repealed the high, rigid price-supports program, and should have adopted a more flexible program, as has been advocated by the Secretary of Agriculture." pp. 3422-3
5. FOREIGN AID. Sen. Kennedy inserted an address by Rep. Bowles, "A Fresh Look at Foreign Aid," in which he urged greater use of surplus foods in our foreign aid program. pp. 3477-82
6. UNEMPLOYMENT. Sens. Humphrey, Langer, Randolph, and Hart discussed the unemployment situation, and urged the enactment of area redevelopment legislation to help alleviate this situation. pp. 3419-22
7. PUBLIC DEBT. Sen. Humphrey expressed concern over "the huge amount of money to be spent in interest payments on the public debt," and inserted an editorial, "Why the Treasury is in Trouble." p. 3419
8. INFLATION. Sen. Wiley expressed his concern over inflation, and inserted a list showing the estimated cost of certain bills being considered in Congress. p. 3402
9. FORESTRY. Received a Utah Legislature resolution opposing the enactment of proposed Wilderness Preservation legislation. p. 3395
10. WATER UTILIZATION; ELECTRIFICATION. Received a Mont. Legislature resolution urging the enactment of legislation to authorize and provide funds to start construction on the Yellowtail Dam, Mont. p. 3395
11. CONTRACTS; RESEARCH. Received from GSA a report on contracts negotiated for experimental, developmental, or research work, or for the manufacture, or furnishing of property for experimentation, development, research, or test during the last 6 months of 1958. p. 3392
12. GRANTS-IN-AID. Received a Mont. Legislature resolution urging that 15 percent of all Federal income taxes paid by the public of Mont. be retained in the State, and that a reduction of 15 percent be made in Federal grants-in-aid connected with State legislative appropriations. p. 3393
13. NOMINATIONS. Confirmed the nomination of Elmer F. Bennett to be Under Secretary of the Interior. pp. 3390
The Banking and Currency Committee reported the nomination of Karl Brandt to be a member of the Council of Economic Advisers. p. 3390

HOUSE

14. AREA REDEVELOPMENT. Rep. Dulski urged support of area redevelopment legislation to alleviate unemployment. p. 3486
15. HAWAIIAN STATEHOOD. Adopted, 337 to 69, a resolution for debate on H. R. 4221, the Hawaiian Statehood bill, and began debate on the bill. pp. 3487-3503
16. ELECTRIFICATION. Rep. Jensen inserted his statement before the Public Works Committee contending that the TVA private-financing bond proposal is "an attempt to bypass the Appropriations Committee and to eliminate the control of elected

be printed in the RECORD prior to the vote on final passage of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The remarks prepared by Mr. YARBOROUGH are as follows:

In a few minutes, I, like the great majority of the Members of the Senate, will vote for extension of the draft. It is a vote which I shall cast with some reluctance. But, with the obligation of economic and military leadership of the free world upon us, it appears to me that we have no alternative.

Khrushchev, with his ultimatum to us to abandon Berlin by May 27, has dealt a deadly hand of nuclear Russian roulette to all mankind. In this grave crisis, we could more seriously consider legislation to vastly increase our Armed Forces than we could to allow the draft to end.

Since the obligations and duties of leadership give us no choice but to extend this law compelling a period of military service for our qualified young men, I think we should consider carefully the result of our action.

The draft is a liability which has rested on our young men since 1940, excepting one minor gap, and if extended, will mean that a whole generation of American boys will be following their fathers into the draft lottery system. Who knows what changes this will mean in our national outlook and character, our traditional love of freedom and aversion to the unrestrained power of the military over the person?

Even as we pass this draft extension, I think we should be resolving to pass a new GI bill of rights for veterans of the seemingly endless cold war. The bill, S. 1138, which I have already had the privilege of introducing in cosponsorship with 25 members of the Senate, would not only restore to the boys we are going to draft, and their families, the lost opportunities resulting from their performance of this duty to our country, but also it would be to the very substantial benefit of the Nation in providing millions of more highly educated and trained citizens who would produce millions of additional revenues.

I believe that as we prepare to extend the draft law, we should also be thinking in terms of passing the cold war veterans GI bill, which I hope and expect will be before the Senate for consideration within a few weeks.

The PRESIDING OFFICER (Mr. GRUENING in the chair). The question now is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. GRUENING in the chair). The Senator will state it.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered on the passage of the bill?

The PRESIDING OFFICER. The yeas and nays have been ordered.

The bill having been read the third time, the question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], and the Senator from Oklahoma [Mr. KERR] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], and the Senator from Oklahoma [Mr. KERR] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business of the Committee on Aeronautical and Space Sciences, and if present and voting, he would vote "yea."

The Senator from Nebraska [Mr. CURTIS] is necessarily absent and if present and voting, he would vote "yea."

The result was announced—yeas 90, nays 1, as follows:

YEAS—90

Alken	Fulbright	Morse
Allott	Goldwater	Morton
Bartlett	Green	Moss
Beall	Gruening	Mundt
Bennett	Hart	Murray
Bible	Hartke	Muskie
Bridges	Hayden	Neuberger
Bush	Hickenlooper	O'Mahoney
Butler	Hill	Pastore
Byrd, Va.	Holland	Prouty
Byrd, W. Va.	Hruska	Proxmire
Cannon	Humphrey	Randolph
Caphart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Johnson, Tex.	S. Stonestall
Case, N.J.	Johnston, S.C.	Schoeppel
Case, S. Dak.	Jordan	Scott
Chavez	Keating	Smathers
Church	Kefauver	Smith
Clark	Kennedy	Sparkman
Cooper	Kuchel	Stennis
Cotton	Kusche	Symington
Dirksen	Long	Talmadge
Dodd	McCarthy	Thurmond
Douglas	McGowan	Wiley
Dworshak	McGee	Williams, N.J.
Eastland	McNamara	Williams, Del.
Engle	Magnuson	Yarborough
Ervin	Mansfield	Young, N. Dak.
Fear	Monroney	Young, Ohio

NAYS—1

Langer

NOT VOTING—7

Anderson	Gore	Martin
Curtis	Hennings	
Ellender	Kerr	

So the bill (H.R. 2260) was passed.

The title was amended so as to read: "An act to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes."

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Washington to reconsider.

The motion to lay on the table was agreed to.

STATEHOOD FOR HAWAII

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 75, S. 50.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 50) to provide for the admission of the State of Hawaii into the Union.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 50) to provide for the admission of the State of Hawaii into the Union, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 10, after the word "amended", to strike out "is" and insert "shall be"; in the same line, after the word "a", to strike out "law" and insert "provision of the Constitution"; in line 11, after the word "State", to insert "as provided in section 7, subsection (b) of this Act"; in line 20, after the word "for", to strike out "ordinary"; in line 23, after the word "amendment", to strike out "or law,"; in line 24, after the word "for", to strike out "ordinary"; on page 4, line 7, after the word "for", to strike out "ordinary"; at the beginning of line 12, to strike out "It is further agreed that neither the State of Hawaii nor any subdivision thereof shall take any action or enact or enforce any law or regulation which imposes a tax, requirement or restriction which unreasonably discriminates directly or indirectly against nonresident persons, firms or corporations, their business, property, or occupational activities or opportunities."; in line 19, after "(a)", to insert "Except as provided in subsection (c) of this section"; in line 21, after the word "shall", to insert "succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title"; in line 24, after the amendment just above stated, to strike out "have and retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State: *Provided, however,* That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall be and become vested with absolute title thereto, or an interest therein conformable to such limitations, as the case may be."; on page 5, line 15, after "(b)", to insert "Except as provided in subsection (c) and (d) of this section"; in line 16, after the words "United States", to strike out "hereby"; in line 17, after the word "upon", to strike out "the date of"; in line 18, after the word "the", where it appears the first time, to strike out "absolute" and insert "United States"; in line 20, after the word "Hawaii", to strike out "as described herein,"; at the beginning of line 21, to strike out "in" and insert "held

by"; in the same line, after the word "to", to strike out "the" and insert "its"; in line 22, after the word "admission", to strike out "of such State"; in the same line, after the word "the", to strike out "Union," and insert "Union."; in the same line, after the amendment just above mentioned, to strike out "except as otherwise provided in this Act: *Provided, however,* That as to any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, the United States shall retain absolute title thereto, or an interest therein conformable to such limitations, as the case may be. As used in this subsection, the term "public lands and other public property" means, and is limited to, the lands and other properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or other properties so ceded."; on page 6, line 13, after the word "The", to strike out "lands" and insert "grant"; at the beginning of line 14, to strike out "granted" and insert "made"; in line 17, after "(c)", to strike out "The lands granted to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof and the income therefrom," and insert "Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be."; on page 7, after line 2, to insert a new subsection, as follows:

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the 5 years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

After line 14, to insert a new subsection, as follows:

(e) Within 5 years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

After line 22, to insert:

"(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands";

On page 8, line 20, after the word "under", to strike out "the preceding subsection" and insert "this Act"; after line 22, to insert a new subsection, as follows:

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

On page 9, after line 5, to insert a new subsection, as follows:

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

After line 12, to strike out:

(d) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property hereinabove vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto, are hereby repealed.

At the beginning of line 19, to strike out "(e)" and insert "(i)"; at the beginning of line 21, to insert "and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session, 67 Stat. 462)"; on page 10, line 1, after "Sec. 6.", to strike out "Upon" and insert "As soon as possible after the"; in line 3, after the word "of", to insert "the Territory of"; in line 7, after the word "all", to insert "State"; in line 9, after the word "Hawaii", to insert "and for two Senators and one Representative in Congress. In the first election of Senators from said State the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned."; in line 18, after the amendment just above stated, to strike out "but the officers so elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by the constitution or laws of said proposed State, said Representatives shall be elected at large."; in line 25, after the word "election", to strike out "not less than sixty nor more than ninety days after

said proclamation, and a general election shall take place within forty days after said primary election," and insert "and a general election"; on page 11, line 4, after the word "be", where it appears the second time, to insert "chosen by the people"; in line 5, after the amendment just above stated, to strike out "and officers for other elective offices provided for in the constitution of the proposed State of Hawaii may be, chosen by the people."; in line 17, after the word "be", to insert "either the primary or"; after line 22, to insert:

"(1) Shall Hawaii immediately be admitted into the Union as a State?"

At the beginning of line 25, to strike out "(1)" and insert "(2)"; on page 12, at the beginning of line 6, to strike out "(2)" and insert "(3)"; in line 19, after the word "language" to insert "article XI shall be deemed to include the provisions of section 4 of this Act,"; in line 22, after the word "the", where it appears the second time, to strike out "second" and insert "third"; in line 23, after the word "other", to strike out "language." and insert "language, and section 10 of article XVI shall be deemed amended by inserting the words 'at which officers for all State elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected' in lieu of the words 'at which officers for all State elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large'"; on page 13, line 11, after the word "shall", to strike out "thereupon"; on page 14, line 4, after the word "the", to strike out "State" and insert "Territory"; in line 6, after the word "said", to strike out "State" and insert "Territory"; in line 7, after the word "Union", to insert "the persons holding legislative, executive, and judicial office in, under or by authority of the government of said Territory, and"; in line 10, after the word "Congress", to strike out "from said Territory," and insert "thereof,"; in line 17, after the word "in", to strike out "or"; in line 22, after the word "and", to strike out "Representatives" and insert "Representative"; in line 23, after the word "and", to strike out "Representatives" and insert "Representative"; on page 15, line 4, after the word "to", to strike out "two Representatives" and insert "one Representative"; in line 6, after the word "such", to strike out "Representatives" and insert "Representative"; on page 16, line 9, after the word "amended", to strike out "to read as follows: '(a) The district judges, except in Puerto Rico, shall hold office during good behavior. The district judge in Puerto Rico shall hold office for the term of eight years, and until his successor is appointed and qualified.'" and insert "by striking out the words 'Hawaii and'. The second sentence of the same section is amended by striking out the words 'Hawaii and', 'six and', and 'respectively.'"; on page 17, line 23, after the word "no", to in-

sert "writ, action,"; in the same line, after the word "indictment," to strike out "action," and insert "cause"; at the beginning of line 24, to strike out "proceedings" and insert "proceeding"; on page 18, at the beginning of line 8, to strike out "cases" and insert "writ, action, indictment, cause or proceeding"; in line 13, after the word "no", to strike out "suit" and insert "writ"; in the same line, after the word "action", to insert "indictment"; in line 14, after the word "or", to strike out "prosecution" and insert "proceeding"; on page 20, line 15, after "section 1294", to insert "as amended"; in line 16, after the word "is", to insert "further"; at the beginning of line 17, to strike out "(5)" and insert "(4)"; in the same line, after the word "paragraphs", to strike out "(6)" and insert "(5)"; in line 18, after the word "and", to strike out "(7)" and insert "(6)"; in the same line, after the amendment just above stated, to strike out "as paragraphs (4) and (5) respectively" and insert "accordingly"; in line 21, after the word "Code", to insert "as amended"; in the same line, after the word "is", to insert "further"; on page 21, line 14, after the word "in", to strike out "commission" and insert "office"; on page 22, line 23, after the word "as" to strike out "hereinbefore"; in line 24, after the word "provided", to insert "in section 4 of this Act"; on page 23, line 3, after the words "United States", to insert a colon and "Provided, That, except as herein otherwise provided, a Territorial law enacted by the Congress shall be terminated two years after the date of admission of the State of Hawaii into the Union or upon the effective date of any law enacted by the State of Hawaii which amends or repeals it, whichever may occur first"; in line 14, after the word "to", to strike out "the" and insert "its"; in the same line, after the word "admission", to strike out "of the State of Hawaii"; in line 17, after the word "of", to strike out "the" and insert "its"; in line 18, after the word "admission", to strike out "of the State of Hawaii"; on page 25, at the beginning of line 22, to insert "controlled or"; at the beginning of line 23, to strike out "military, naval, Air Force," and insert "Defense"; in line 24, after the word "purposes", to strike out the period, insert a colon and "Provided, however, That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense."; on page 26, line 14, after "SEC. 17.", to insert "The next to last sentence of"; in line 5, after "(38 Stat. 251)", to insert "as amended by section 19 of the Act of July 7, 1958 (72 Stat. 339, 350)."; in line 7, after the word "amended", to strike out "by striking out the last sentence thereof and inserting in lieu of such sentence the following: 'When the State of Hawaii or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every na-

tional bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section." and insert "by inserting after the word 'Alaska' the words 'or Hawaii.'"; in line 23, after the word "this", to strike out "or any other"; on page 27, line 3, after the words "United States", to strike out "its Territories"; in line 10, after the strike out "nor" and insert "or"; on page insert "an"; in line 15, after the word "words", to strike out "an"; at the beginning of line 21, to strike out "an"; in line 25, after the word "acquired", to strike out "nor" and insert "or"; on page 28, line 2, after the words "United States", to strike out "may have been" and insert "is or was"; in line 4, after "SEC. 20.", to insert "(a)"; at the beginning of line 7, to strike out "SEC. 21." and insert "(b)"; in line 9, after the word "the", where it appears the first time, to strike out "third line of the"; at the beginning of line 11, to strike out "contained in the" and insert "to said"; in the same line, after the word "sentence", to strike out "thereof"; at the beginning of line 12, to strike out "SEC. 22" and insert "(c)"; in the same line, after the word "of", to insert "Section"; in line 13, after the word "Act", to insert "as amended"; in line 14, after "8 U.S.C. 1421(a)", to insert "72 Stat. 351"; in the same line, after the word "is", to insert "further"; in line 15, after the word "words", to strike out "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Alaska." and insert "for the Territory of Hawaii, and."; at the beginning of line 20, to strike out "SEC. 23." and insert "(d)"; after line 23, to insert a new section, as follows:

SEC. 21. Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words "State of Hawaii" for the words "Territory of Hawaii".

On page 29, at the beginning of line 4, to change the section number from "24" to "22"; in line 6, after the word "thereof", to strike out "to any person"; in line 9, after the word "word", to strike out "to other persons and" and insert "in other"; and, at the beginning of line 11, to change the section number from "25" to "23"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7 (c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the con-

stitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the constitution of said State, as provided in section 7, subsection (b) of this Act, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided, That* (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

SEC. 5. (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

(b) Except as provided in subsection (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provi-

sions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the

right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session, 67 Stat. 462) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. As soon as possible after the enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, and for two Senators and one Representative in Congress. In the first election of Senators from said State the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election and at such elections the officers required to be elected as provided in section 6 shall be chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be either the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) Shall Hawaii immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and

(Date of approval of this Act)
all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

(3) All provisions of the Act of Congress approved _____ reserving

(Date of approval of this Act)
rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; article XI shall be deemed to include the provisions of section

4 of this Act; and section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language, and section 10 of article XVI shall be deemed amended by inserting the words "at which officers for all State elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected" in lieu of the words "at which officers for all State elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large".

In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the Territory of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said Territory is so admitted into the Union, the persons holding legislative, executive, and judicial office in, under, or by authority of the government of said Territory, and all of the officers of said Territory, including the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. The State of Hawaii upon its admission in the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for

the Eighty-third Congress and each Congress thereafter.

Sec. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

Sec. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico,".

Sec. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words "except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words "except in the district of Hawaii where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

Sec. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no writ, action, indictment, cause, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such writ, action, indictment, cause, or proceeding shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no writ, action, indictment, or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to

the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

Sec. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

Sec. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, as amended, is further amended by striking out paragraph (4) thereof and by renumbering paragraphs (5) and (6) accordingly;

(d) the first paragraph of section 373 of title 28, United States Code, as amended, is further amended by striking out the words "United States District Courts for the districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of

judicial service of any person who is in office as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,".

Sec. 15. All territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as provided in section 4 of this Act with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States: *Provided*, That, except as herein otherwise provided, a Territorial law enacted by the Congress shall be terminated two years after the date of admission of the State of Hawaii into the Union or upon the effective date of any law enacted by the State of Hawaii which amends or repeals it, whichever may occur first. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of its admission into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

Sec. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or

which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States. In all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (i) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority, and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for Defense or Coast Guard purposes: *Provided, however*, That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

SEC. 17. The next to last sentence of the first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) as amended by section 19 of the Act of July 7, 1958, (72 Stat. 339, 350) is amended by inserting after the word "Alaska" the words "or Hawaii."

SEC. 18. (a) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, or possessions, or as conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or";

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "island possession

or island territory" the words "the State of Hawaii, or."

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, or restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party.

SEC. 20. (a) Section 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a)(36)) is amended by deleting the word "Hawaii,".

(b) Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 183, 8 U.S.C., 1182(d)(7)) is amended by deleting from the first sentence thereof the word "Hawaii," and by deleting the proviso to said first sentence.

(c) The first sentence of section 310(a) of the Immigration and Nationality Act, as amended (66 Stat. 239, 8 U.S.C. 1421(a), 72 Stat. 351) is further amended by deleting the words "for the Territory of Hawaii, and."

(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 21. Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words "State of Hawaii" for the words "Territory of Hawaii."

SEC. 22. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof or circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be affected thereby.

SEC. 23. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Mr. JOHNSON of Texas. Mr. President, I ask that the yeas and nays be ordered on passage of the bill, so that all Senators will know such a vote is expected.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, is my understanding correct that action on the bill to provide statehood for Hawaii will be completed today?

Mr. JOHNSON of Texas. The Senator from Texas can give no such assurance. Some Senators have indicated they may desire to discuss the subject. I do not know how long Senators will talk.

The yeas and nays have been ordered. I suggest that each Senator be on notice that if it is at all possible to complete action today we shall attempt to do so.

Mr. DIRKSEN. Let me rephrase my inquiry. Is it the expectation that action on the bill will be completed today?

Mr. JOHNSON of Texas. That is a matter entirely within the control of individual Senators. The Senator from Texas is prepared to vote on the bill today, but I do not know that it is the desire of other Members of the Senate to do so. I think we will have to let the other Members decide that question.

Mr. DIRKSEN. Mr. President, let me further rephrase my inquiry. Is it the hope that action will be concluded on the bill today? [Laughter.]

Mr. JOHNSON of Texas. I hope that we can conclude action on the bill today, but I can give no such assurance and I do not want to give any such intimation.

NEW ERA OF AGING

Mr. WILEY. Mr. President, on many occasions I have emphasized to my colleagues the fact that the Nation has a very definite responsibility toward brightening the future of its senior citizens. This important growing class of individuals in the United States now represents 8.4 percent of the total population and these citizens have spent the greater portion of their lives helping to build this great country. We certainly have a moral responsibility, as well as a practical need, to take constructive steps to meet the special problems of our golden agers.

What do elderly folks need? I have attempted to answer this challenging question on many occasions. I have introduced legislation on old-age problems and, in this past session of the 85th Congress, I actively supported the amendment to increase benefits under the Federal old-age, survivors, and disability insurance system so as to raise the level of retirement benefits from 7 to 10 percent.

I have been happy to correspond extensively with old-age groups; the Senior Citizens of America, Golden Age Clubs, and numerous Federal, State, and local experts in order that these folks can be helped to increasingly realize that they owe a responsibility to themselves—a responsibility to be active, creative, and constructive so as to acquire new interests and build a bright, new chapter in their lives.

I have pointed up the forthcoming White House Conference of the Aging to be held in 1960 and stressed the importance of sound planning, including planning for the various preceding State conferences, in order to focus national interest on problems of older people and to stimulate action in State and communities to meet those needs.

On many occasions I have emphasized that age is not a matter of chronology; it is not a matter of passing a certain arbitrary milestone, but rather it is the composite of one's interest, one's skills, and one's outlook. Our elderly folks need a purpose toward which they can strive; a motivation for a long and healthy life; and, with that purpose, a faith in an all-knowing, all-powerful Creator, a God of love and truth. They also need respect, esteem, and appreciation; coupled with fruitful activity toward helping to earn their own way. Toward this latter end, our American employers need to be reeducated to the value of utilizing the skills and experiences of the middle and later years.

I have been particularly pleased to note the many constructive activities at the grassroots level dedicated to meet-

There was much to support this darkly pessimistic view—both what is called American anti-intellectualism and the fashion of American intellectuals themselves to distrust and/or disavow all or any general principles whatsoever.

Fortunately for us the tide has turned. It was predictable that we would come out of the bog wallow of know-nothingism or positivism. In the field of law or jurisprudence, the reason for faith was stated by Prof. Harold Berman some years ago. From him I learned that in times of crisis, Anglo-American law can be expected to rise to the challenge of ultimate greatness. He said:

"In times of relative stability it is customary to forget that the attempt to grasp and comprehend the totality, and to see particulars in relation to that totality, is in fact part of the Anglo-American legal tradition. It is that part which is reserved for crisis."

Well, thought I, we sure are in a crisis. So, if Berman is right, we can expect Anglo-American law to rise to the challenge.

And sure enough it has—or is beginning to. In my recent consultation of the authorities, I came across, for example, Prof. Jerome Hall in the *Virginia Law Review*. He is saying:

"The most striking fact about current developments is the rise of natural law philosophies almost everywhere."

Almost everywhere. There is the shining sun of hope upon our future. Almost everywhere. In America, throughout the West, including Latin America and notably also in Japan.

Now I would like to say just a word—a very amateurish word—about natural law. The classic phrase "natural law" is a stumbling block for many thoughtful people. For others it has most satisfying meanings, reflecting that structure of justice of which I have spoken.

But note that Professor Hall speaks of natural law philosophies—plural. I suggest that there is, indeed, one universal natural law to which human beings are and ought to be conformable. But I further suggest that the one and the same natural law is made equally evident by starting from two different emphases. The one emphasis is justice or order. That was the emphasis of classical Rome and of the Middle Ages. The other emphasis is freedom. That has been the American emphasis. Starting with order, you arrive, under Christian inspiration, at the human necessity of freedom. Starting with freedom, you arrive at the social need for order—or in our tradition what we call liberty under law.

I would hope that in the next few years our thinkers would achieve a powerful synthesis of these two approaches to a knowledge of the natural law.

The object, for ourselves and for the world, is to achieve "that liberty which without order is a delusion and that order which without liberty is a snare."

The American word is "liberty." In American thought and feeling the rights of man are not derivable from physical nature nor from any absurd Rousseauian theory of noble savage or social compact. The rights of man are derived from his Creator—

"Our fathers' God, to Thee
Author of liberty,
To Thee, we sing,
Long may our land be bright
With freedom's holy light."

But the American word is also liberty under law. In American tradition, we have more naturally spoken of the moral law than of the natural law—not the same things, but closely related. It is typical Emerson to say: "The moral law is at the center of the universe and radiates to its circumference." And so also our greatest men from George Washington and Chief Justice Marshall to President Eisenhower have spoken of the

moral law, or the higher law, by the light of which the Constitution is to be interpreted.

Finally, there is one more thing to say about the manmade law that serves the moral or natural law. The law is not to be conceived of as something static. The law is to provide for change—change in the direction of greater justice as the vision of justice is continually being revealed to men in ever-larger terms. A Matthew Arnold defined God as "a power, not ourselves, which makes for righteousness," so we ought to conceive of justice not as something which we have invented. We must conceive of justice as something established prior to us, in the beginning, and also as something which stands out beyond us, in whose work we are privileged to participate.

With this kind of concept of justice and of law, we can find confidence in our own minds. We will overcome the intellectual anarchy which has weakened us. And we can go forth, both humbly and confidently, to speak to other men everywhere, inviting them, praying them to reason together, to discern the general principles which all men may hold in common and thus to proceed to make the world the lawful habitation of mankind.

I have been speaking of "we." But who do we mean by "we"? It is my thesis that the advancement of the rule of law should be the major objective of the American Nation. This leads me, then, from the philosophical to the political. How shall the resources of this Nation be centered on the advancement of the rule of law? Obviously that requires political leadership, which is to say actual politicians, flesh-and-blood politicians, who will make this cause their own.

Ideas have consequences. The role of the politician is to be the executor of an idea. But he cannot execute an idea until the idea has been born, or in this case, reborn and made clear. That is why I have spoken first of the intellectual task. Ideas have consequences—and we also say: Nothing is so powerful as an idea whose time has come. Can we say that the time has indeed come to make the rule of law the dominant force in the world? I think we can for two reasons: First, because the philosophy of law is gaining in health and strength; and second, because it finds acceptance among leaders of many nations. Thus serious thought has prepared the way for the politician. But the politician has a right to ask something else—he has the right to ask that there be a degree of readiness in the voting public to follow his leadership. Here is our difficulty now: how to get any great part of the public to get interested in, to get urgent about the rule of law. This is a tough one.

I speak now not only as a concerned citizen, but as a practicing editor. The doubts that rush to one's mind are sharp—striking deep to the roots of our life as a people. Is it idle fantasy to imagine summoning serious popular interest in so seemingly abstract an ideal as the rule of law? Is it just too much, and too naive, in a democracy—with all its intellectually leveling processes—to expect a stirring of concern (let alone a surge of zeal) for such an ideal by the hypothetical Mr. Average Citizen?

Well, perhaps brashly, I say "no" and "false" to these pessimistic propositions. And I say in retort: "It is not the law or rule of law that is the abstract concept. It is the concept of the average citizen that is the deceptive abstraction."

Let me explain—first about this citizen, then about the law.

It is widely asserted that this American citizen lives in a society that lacks high purpose and spiritual vigor. We all have been hearing—a lot of late—the adjectives of lament or scorn applied to our society. Our

society is vacuous. It is anti-intellectual. It is mediocre. It is indulgent and ego-centric. It is, in short, a society, fat with affluence, but pitifully thin in spirit and will and wisdom. And so, what could one expect of the average citizen—its typical human product?

I concede some fragments of truth in this grim picture. In many areas of our national life—from the schoolroom to the TV screen—we have a surfeit of the shallow and the banal. But these, in my reckoning, are the frivolities of a characteristically serious and reflective people—serious in purpose, reflective upon their responsibilities to themselves, to other nations, and even to future generations. We love our country. We know as well as love the ideals of liberty that stirred at our birth as a Nation, that have striven even after through our life as a united people. We know that only sustained struggle can carry its ideals into the future—investing that future with promise and meaning. And this is crucial; for the American wants, indeed longs for, nothing so much as to know that his life as an American has meaning and purpose.

If this be true, as I believe, then we can believe one thing more: the American people need the vision of a just cause to summon them to action. Not just any cause, not even just any just cause, but a cause that is right and proper and true for America.

What is the name of this cause—and what is its substance? Peace? Maybe; but peace on what terms, based on what principles, sustained by what purposes? Freedom? Sure—but freedom fortified by what strength, guarded by what rule and authority?

The answer—I submit—is not obscure. The answer is: Peace through law—and freedom under law. For surely without law, there can be neither peace nor freedom. And what is a more meaningful, a more authentic, definition of a just cause than—law?

This, then, is no mere academic abstraction. It can be the heart and nerve of our national purpose. It is practical. And it is pertinent.

Let me suggest some proof of these assertions. I submit a piece or two of evidence—what properly can be called highly material testimony—drawn from the plainest facts of mid-20th century life.

First. As a Nation, we confront no more crucial task than that of relating our spiritual and our material values. Put it differently: our task is to translate our highest values into the lower language of action and policy. This act of translation is performed by law. For law functions on that middle ground between the spiritual and the material. For law is principle applied to fact. And thus it can be the true catalyst of our national purpose throughout the world as well as at home.

Second. The people of the world feel—and feel deeply—that today's sinister balance of power, this peace-by-mutual-terror in which we live, is a dead end. Literally, a dead end. And what question is more urgently asked—from New York to New Delhi, from Akron to Accra—than: Is there no way out?

The rudely realistic answer, of course, is: No there is no way out. The invention of the most horrible weapons of destruction is that fateful aspect of human ingenuity which is irreversible. The secrets unlocked can never be sealed again.

But if there is no way out, there must be something else: A way forward. This must be a way that leads toward mastery and control, in the name of justice and liberty, over the new forces unleashed by science.

This is the way of the law.

And therefore I believe that political leaders—of all ranks, of perhaps all nations—have a rare opportunity. To these leaders, we can rightly and reasonably say: Study our proposition. Scan the promise that lies in these simple words: the rule of law. Place this promise on your political banners. Let the people see that you believe. And they will believe—in it, and in you. They will follow. For you will have given them hope—and reason to hope.

Mr. Arthur Larson, who has recently left the White House to set up the World Rule of Law Center, with President Eisenhower's blessing, at Duke University, says that people come to him saying, "I think what you are going to do is one of the most exciting things I ever heard of—but exactly what is it?"

People seem to understand an atomic warhead better than they do the rule of law. But they would like to understand the rule of law because there, they intuit, they may find some tidings of comfort and of joy, which they certainly do not find in atomic warheads.

What then is it, this rule of law? It is, as we have noted, a fundamental concept of political philosophy. It is also a multitude of concrete acts and instances—concrete laws and legal arrangements made and to be made, tested and to be tested, sustained and to be sustained.

So we come to the third aspect of the subject which I venture to touch on tonight, namely the fact that there is an immense amount of actual legal work to be done, right now, and mainly, of course, by lawyers. And let me add, emphatically, in most cases for a proper fee. We are not talking about part-time do-goodism; we are talking about doing the world's work, full-time, with the highest professional competence.

The work needs to be done for its own sake, for the weaving of the fabric of law. But it is equally important for the sake of public understanding: Every step taken to put some part of international affairs under law is a demonstration to the public of the uses of the law.

Examples of legal work to be done could be drawn from literally every field of human activity—from outer space to internal medicine. I will choose two large examples—one, in the field of world business, the other in international politics.

As to the economic organization of the world, we have long been involved in foreign aid and will continue to be. But for years some of us have been saying that far, far more important than any amount of hand-outs would be a stern, no-fooling effort to establish adequate rules for international investment and trade. Have our words been lost in the wind? They seemed to be—but now, here too, the power of a right idea makes its way. Our recent eminent visitor from South America, President Frondizi of the Argentine, tells us with enthusiasm that the future of the Argentine's economy is based on respect for law. And now, most importantly of all, there lies on the agenda of international affairs a really fundamental proposal worked out by the No. 1 banker of Germany, Mr. Hermann Abs. Mr. Abs calls his proposal a Magna Carta for trade and investment throughout the world. Every enlightened American corporation should back that Magna Carta—whether or not it is engaged in foreign trade. Corporations need the advice and the prodding of their lawyers to see the profound importance of the Abs proposal. For at stake there is the prosperity of the world—and our prosperity. At stake there is the future of free enterprise—at home no less than abroad. At stake there may even be the peace of the world, since nothing could so vitalize the rule of law as to have it extended to all business transactions everywhere on earth. This would give to millions of people the

habit of abiding by the law, of trusting in the law, and of prospering in the trust and confidence which only the law can give. The law seen both as the tremendous first principle, and the law seen also as the moderator of daily life.

In the field of international politics, the example I would take is arbitration agreements. All during the 19th century there was a steady advance in the use of arbitration. In fact, American use of this technique began with the founding of this country. You will remember that in 1794 the Jay Treaty between Great Britain and the United States provided for the arbitration of certain issues arising at the end of the Revolutionary War, including the boundary between Maine and Nova Scotia. The negotiations were successful and the results were accepted. In the 100 years that followed, a total of 177 disputes between nations were resolved by arbitration and the United States was involved in 79 of them. And remember, all this was done without any supra-national policeman with a big club.

The high tide of faith in arbitration as a means of having peace with justice was probably marked by the Hague Conference of 1907—about the time Andrew Carnegie set up his Peace Foundation with every expectation that war would be abolished, long before now. But then came the breakdown of the West in 1914—and since then one has heard less and less of arbitration. The reason was, in part, a basic loss of faith that nations and governments would keep their word. *Pacta sunt servanda*—agreements must be kept. The way to restore faith in good faith is to make more agreements, to make them carefully, and to keep them.

But arbitration agreements are only a part of the fabric of lawfulness throughout the world. The fabric can be even more strongly woven by developing regional courts. Why not, for example, a court with a developing body of law to settle all disputes, without exception, in the Western Hemisphere? A marvelous thing for the New World and a splendid example to the Old.

Meanwhile, there is the World Court of the United Nations—the most unused court in history. As President Eisenhower indicated in his message, we cannot proceed to advance the rule of law until we do our part to make that Court a little more useful than it is. That means that the Connally amendment must be repealed. Since that amendment bears the name of a beloved Texas Senator, I think we should call upon the members of the Texas bar to make it their special job, with all respect to Old Tom, to amend that amendment.

The agenda, of which I have merely suggested a very few examples, is vast. If it is to be mainly your work, how will it relate to mine? As an editor, I have reason to know that the American people's appetite for facts is ravenous. But I also know—and the people know—that facts by themselves, facts in their "innumerable swarmings," are meaningless. Facts about the world, facts about the contemporary United States, facts about our Nation's activities in the world, become significant only as they are attached to a theme, a line of effort, a vision of the truth. As an editor presenting the news of America and the world, I need a clear theme. And so does the reader. So do we all—all the people.

But the theme cannot be contrived. It must be deeper far than propaganda. It must be found actually running through the operations of our society and its government. I think the theme now lies half-hidden, half-visible in the actual American experience. We may agree with those who point out that the American destiny has been largely shaped by the particulars of place and time; that much of our experience as a nation and many details of our way of life are peculiar to us—and will remain so. But

the essentials of the American experience can be communicated. First of all, we must understand them more clearly ourselves in order to communicate them to the world.

More than ever, and on the broadest scale, the appropriate theme for America is Liberty under law—and this is our opportunity to work in the world. It is this theme, developed from its highest moral principles down to its most practical aspects, that can define the role that the United States must play in the world. And it can restore to us all an ample sense of the meaning and purpose of life in America, in the world, from day to day—and into the farthest reaches of vision and prophecy.

STATEHOOD FOR HAWAII

The Senate resumed the consideration of the bill (S. 50) to provide for the admission of the State of Hawaii into the Union.

Mr. MURRAY. Mr. President, as chairman of the Committee on Interior and Insular Affairs, I have the honor of making the opening remarks in this Chamber on Senate bill 50, a bill to admit the populous and prosperous Territory of Hawaii into our Union as a full and equal sovereign State. My remarks on this historic occasion will be brief and general; the details of the bill will be presented by the distinguished and able junior Senator from the State of Washington [Mr. JACKSON], the chairman of the Subcommittee on Territories, which conducted the hearings and reported the measure to this body.

Mr. President, the admission of a new State into our Union of States is always an historic occasion. It is an epoch-making event both for the people of the area admitted to full partnership in the Union and also for the country itself. The growth of our Republic has been accompanied by a corresponding growth in our prosperity and economic strength and in many ways the successive admission of new States has symbolized our rise to power and riches as a nation.

AUTHORITY OF CONGRESS UNDER CONSTITUTION

On March 4, 1791—almost 168 years ago to the day—the United States of America was a little band of 13 States hugging the eastern seaboard of the Atlantic. On that historic date the State of Vermont was "received and admitted into the Union as a new and entire member thereof," in the words of the statute admitting Vermont to the Union. Authority for this action of the 1st Congress is found in article IV, section 3, of the Constitution, which provides in simple, straightforward language:

New States may be admitted by the Congress into this Union.

The most recent occasion on which this constitutional authority was exercised was last year, when on June 30, 1958, H.R. 7999, the bill to admit Alaska as a State, was approved by this body by a vote of 64 to 20. What a splendid record of achievement and national strength and vigor has marked that span of 167 years between the admission of Vermont in 1791 and Alaska in 1958.

During those 167 years the authority conferred by the quoted section of the Constitution has been exercised by this body on 31 different occasions by pro-

viding for the admission of the 36 States which have become a part of the Union on a "free and equal footing" with the Original Thirteen.

PATTERN FOR ADMISSION OF NEW STATES

The pattern for the admission of new States, generally speaking, was established in the famed Northwest Ordinance by the Continental Congress in 1787. The Northwest Ordinance was the statute for the government of the vast area west of the Allegheny Mountains and north of the Ohio River. From this Territory the five States of Ohio, Indiana, Illinois, Wisconsin, and Michigan were created.

Under this pattern, the Territory was first of all incorporated into the Union. That is, the Constitution of the United States was extended to it, and the area thereby legally and politically became a part of the Union. As soon as a part of the area had sufficient population to support statehood—the original requirement was but 60,000—and the inhabitants gave evidence of their desire for statehood, an enabling act was passed by Congress, which prescribed a procedure for the organization of a State government and certain standards for and conditions of statehood. When these steps had been taken and the requirements met, States were admitted into the Union on a free and equal basis with the Thirteen Original States.

A slight variation in the above pattern has occurred in certain instances when the people of a Territory have gone ahead on their own initiative and held a constitutional convention, drafted a constitution, and submitted it to the people without waiting for the Federal Congress to authorize them to do so. The constitution would then be submitted to the Congress, and if approved, the State would be admitted by the enactment of an Admission Act by Congress. Seven States have entered the Union through this procedure by taking the initiative themselves, namely, Arkansas, California, Florida, Idaho, Maine, Oregon, and Wyoming.

ACTION BY PEOPLE OF HAWAII

I mention this variation of the pattern because Hawaii has followed the precedent of those States and has held its constitutional convention and drafted its own proposed State constitution. The proposed State constitution of Hawaii is before us at this time, it is printed in the committee's report on S. 50, and I wish to call the attention of the Members of the Senate to it. It gives us a preview, so to speak, of the kind of State we would be admitting.

However, regardless of whether the people of a Territory waited for the passage of an enabling act by Congress or acted on their own initiative, the end result, namely, statehood, has been the same for each of the incorporated Territories. Hawaii is the only incorporated Territory which has not yet achieved statehood. The greatness of our Union and the strength of each of the 36 subsequently admitted States today is manifest proof of the success of the policy with respect to incorporated Territories which the Continental Congress established 172 years ago.

In no instance has statehood failed. With the admission of each of the 36 States, the people in the established States have benefited as well as have the people of the new State.

ADMISSION OF HAWAII IN HISTORIC TRADITION

Mr. President, today we begin debate on a bill that is within this historic tradition and pattern under which we have grown great. For Hawaii qualifies under each and every one of the historic concepts that we have evolved in the 37 previous actions this body has taken in admitting new States. Hawaii is the only area that does meet those tests and conditions.

I want to emphasize this point to put at rest the professed fears of those opponents of statehood for Hawaii who assert that by admitting Hawaii we are opening the door to the admission of Puerto Rico, the Virgin Islands, or Guam. There is no merit to this contention. No area now under the American flag other than Hawaii meets the historic tests of readiness for statehood. No other area conceivably could qualify for statehood under our precedents in the foreseeable future, in my judgment. This idea of "opening the door" is not and cannot be a valid argument, and I hope very much that it will not be made here to this body.

I am certain that many speakers on this bill will discuss those historic precedents and qualifications for statehood. They have been set forth and discussed in each of the five favorable reports the Senate Interior Committee has submitted on the issue of statehood for Hawaii. I wish to direct particular attention to the explanation of these requirements for statehood set forth in the excellent and comprehensive report on S. 50, 86th Congress, filed last week by the distinguished and able junior Senator from Washington [Mr. JACKSON]. This report, Senate Report No. 80, is one of the most outstanding documents in the long history of statehood for Hawaii in the wealth of information it contains and its clarity of expression.

READINESS FOR STATEHOOD

I shall quote from page 7 of the report for the benefit of the Members of the Senate. Under the heading "Readiness for Statehood," the report states:

The Constitution of the United States provides that new States may be admitted into the Union by the Congress, but it sets forth no specific requirements. However, a study of American history, with particular attention to the facts and circumstances surrounding the admission of each of the 37 States that have come into the Union since its founding, shows that the requirements have been (1) that the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government; (2) that a majority of the electorate desire statehood; and (3) that the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

The Senate Committee on Interior and Insular Affairs was unanimous in finding that Hawaii met each and every one of those qualifications beyond any reasonable doubt. In few, if any, instances has

the case for the grant of statehood been as well documented and is as clearly shown as in the present instance.

Mr. President, since 1935, the House and Senate Interior and Insular Affairs Committees have held 23 hearings on the subject of statehood for Hawaii. The record on the question comprises more than 6,600 printed pages of testimony and exhibits. More than 850 witnesses have been heard in the Territory and in Washington. Seven of the hearings have been held in Hawaii. In addition, at least 12 reports have been made.

ISSUE MOST THOROUGHLY STUDIED

The question of admitting Hawaii to statehood has been longer considered and more thoroughly studied than any other statehood proposal which has ever come before Congress. Thirty-six States have previously been admitted to the Union by the action of Congress; yet in no single case has there been such a thoroughly careful study of the qualifications of the applicant as in the case of Hawaii.

The numerous, exhaustive studies on Hawaii have built up a great body of irrefuted and irrefutable evidence that Hawaii is in every way qualified to stand on a basis of equality with the present States of the United States. Her more than 600,000 people are American in word, thought, and deed. The vast majority of them—more than 85 percent—were born under the American flag, were educated in Hawaii's excellent school system, and are thoroughly imbued with American principles and ideals. They know no loyalty other than that to America—our country and their country.

Hawaii is possessed of great riches of soil and climate. Her more than 300,000 acres of arable land are among the most intensively, and scientifically, cultivated in the world. More than a million tons of sugar, valued in excess of \$150 million, are produced annually. Hawaii also produces 85 percent of the total U.S. supply of canned pineapple products. This is 65 percent of the world's production.

IMPORTANT MINERAL DISCOVERY

Hawaii's pleasant climate, scenic beauty, and recreation facilities are also a major asset. The tourist industry has expanded annually—from a \$6 million-a-year industry in 1946 to \$65 million in 1956.

Within the last several years still another source of wealth for the Territory and for the Nation has become known. I refer to the discovery on the "Big Island" of Hawaii of tremendous deposits of bauxite, the raw material from which aluminum is produced. Hawaii's reserves of bauxite are placed at 60 million tons. This is 10 times the mainland reserve and enough to make our Nation independent of foreign sources of this so vital metal.

In short, Mr. President, there can be no doubt that Hawaii's great resources will enable her to support statehood and to carry her full share of the burdens of the Federal Government. Admission of Hawaii as a State will enrich our Nation materially as well as spiritually, morally, and politically.

Mr. President, in bringing my remarks to a conclusion, I realize I have dwelt much on the past—on our great forward progress as a Nation. As a lawyer, I

have profound respect for precedent and tradition, but as a Member of the Senate I realize that Congress is not bound by precedent. I realize the question of admitting, in 1959, the richly endowed and strategically situated American Territory of Hawaii to full equality in our Union of States is within the sound discretion of the 86th Congress.

FAILURE TO ADMIT HAWAII WOULD BE BREAK WITH PAST

However, I believe the past can be used as a useful guide for the present and future. Therefore, I feel justified in calling the attention of the Senate to the historic precedents, and in pointing out that refusal to pass the measure would be breaking the historic pattern—would be a marked departure from the tradition—under which our Nation has expanded and grown great.

After thorough hearings and careful study, I have found that our 600 000 fellow Americans in Hawaii merit statehood, that they desire it, and that they are ready, willing, and able to support it. I believe that statehood for Hawaii will be in the best interests of the United States as a whole and of the people of Hawaii. I therefore earnestly recommend that the Senate take prompt, affirmative action on this measure, which for 15 years or more has been a major plank in the platforms of both of our political parties.

Admission of Hawaii as a State of the United States is clearly in the best interests of our Nation, and of the free world, as well as fulfillment of the longing of a splendidly patriotic vigorous group of American citizens—600,030 strong—who by every historic test merit full equality with their fellow Americans in the present 49 States.

Mr. JACKSON. Mr. President, no one can fairly accuse the Congress of undue haste in admitting Hawaii to the Union. Indeed, the proposal that Hawaii be admitted to the Union was made so long ago that no man who sat in the Senate at that time is here today.

Our distinguished colleague, the senior Senator from Arizona [Mr. HAYDEN], will recall that historic Congress. He was then serving in the House of Representatives at the first Representative from the new State of Arizona.

The first Hawaiian statehood bill was introduced so long ago that some of the present Members of this body had not then been born, and some were still being paddled by their teachers in grade school.

The first Hawaiian statehood proposal was made in 1919, in the second administration of President Woodrow Wilson. The bitter debate over America's entry into the League of Nations was then taking place.

In January of that now seemingly remote year of 1919, a director general of European war relief was appointed to distribute \$100 million worth of supplies provided for by Congress in a European famine relief bill. The director was an engineer named Herbert Hoover.

In May of the same year, Congress passed a resolution submitting to the States a constitutional amendment pro-

viding for women's suffrage. Now the laides have been voting for so long that many who then voted for the first time as young women are now voting as grandmothers or great-grandmothers.

Indeed, to look back to the day when Hawaiian statehood was first proposed is to look back to a day that seems ancient, in the light of later events, for in October, 1919, the Volstead Act became law over the President's veto. That act was designed to enforce prohibition under the 18th amendment to the Constitution.

In October 1919, Frederick Hoenemann, a Missouri farmer, appealed to the courts against the newfangled flying machines; he said that as they flew over his farm, they were scaring his chickens and were making his cows go dry. The judge agreed with the plaintiff, and issued a temporary injunction against the operation of planes above Mr. Hoenemann's farm.

Finally, in the same year, 1919, the population of the United States was approximately 105 million, or some 70 million less than it is today.

Congress may be charged—sometimes justly, and sometimes unjustly—with many things. But certainly no one can say Congress has behaved with mad haste in admitting Hawaii to the Union.

Every possible argument either for or against Hawaiian statehood has been raised and debated. There is no need to review again all the facts and arguments. The issue is not a partisan one. Both political parties have repeatedly pledged support to Hawaiian statehood.

The Territories Subcommittee of the Committee on Interior and Insular Affairs unanimously recommend enactment of the Hawaiian statehood bill—S. 50. The full Interior Committee, under the distinguished guidance of its chairman, the senior Senator from the State of Montana [Mr. MURRAY], has voted to report the bill, and, for the first time in the long history of the consideration of similar bills, the vote was unanimous. Members on both sides of the aisle have made important contributions to the issue, and it is appropriate that the presentation of the bill today should be a bipartisan effort.

Certainly, one of the most tireless workers on the Territories Subcommittee is its ranking minority member, the distinguished senior Senator from California [Mr. KUCHEL]. I want to thank him and all the other members of my subcommittee for their generous help and support.

Mr. President, I should like especially to thank the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], for the early scheduling of the bill for debate. I believe we have set a record for prompt action between the reporting of the bill by the full committee and its consideration on the floor of the Senate.

I called the distinguished majority leader, the Senator from Texas, at the time when the bill was reported by the subcommittee; and I advised him that we would be ready in a certain number of days. At that time he told me, "As soon as the bill is ready, we will sched-

ule it for immediate consideration by the Senate."

I should like to add, that the distinguished minority leader [Mr. DIRKSEN], has been most helpful and cooperative in connection with bringing the bill to the floor of the Senate in record time.

Mr. President, let us now refer to the provisions of the Hawaii statehood bill.

We should remember that we are considering an act of admission. No further congressional action will be required.

The last 11 statehood bills passed by Congress since 1889 have uniformly provided for the following: A republican form of State government, definition of boundaries, transfer of court jurisdiction, and a popular referendum on the question of statehood itself. Comparable provisions may be found in Senate bill 50.

Specifically, the bill provides as follows:

Section 1 recognizes the constitution adopted by the people of Hawaii to be republican in form, and in conformity with the Constitution of the United States.

Section 2 sets forth the boundaries of the new State, which will consist of the islands included in the Hawaiian Archipelago.

Section 3 requires that the constitution of the State of Hawaii shall always be republican in form and consistent with the Constitution of the United States.

The next section deals with a problem arising out of the original acquisition by the United States of the Hawaiian Islands. As a condition, our Government promised to retain certain lands for the benefit of the native-born Hawaiians. The Hawaiian Homes Act of 1920 expresses the intent of Congress to adhere to that promise. Section 4 requires that the State of Hawaii adopt the Hawaiian Homes Act of 1920 as a provision of its constitution, and provides that it shall not be changed in its basic provisions except with the consent of the United States.

Section 5 provides that the State of Hawaii shall succeed to the title now held by the Territory. This section further provides that during a 5-year period any public lands which are controlled by the United States may, by act of Congress or Presidential order, be set aside for the permanent use of the United States.

Election procedures for the new State are covered by sections 6, 7, and 8. Upon the President's signature of the statehood bill, the Governor of Hawaii will issue his proclamation for the holding of elections. The proclamation shall provide for the holding of a primary election no less than 60 nor more than 90 days later. A general election is to be held within 40 days of the primary election. At this general election the citizens of Hawaii will elect a Governor, a Lieutenant Governor, and a State legislature; and, in addition thereto, two U.S. Senators and one Representative will be elected.

Sections 9 through 14 are concerned with the judiciary, the maintaining of the Federal court, and the transition from a Territorial to a State court.

Technical amendments to the United States Code to indicate the changes necessary upon Hawaii's becoming a State are enumerated in these sections.

It was the considered opinion of the committee that provision for a cutoff date at some fixed point in time relative to Territorial laws of Congress now in effect should be incorporated into the bill. For this reason, section 15 states that all Territorial laws in force at the time of Hawaii's admission into the Union shall continue in force for a period of 2 years, unless the State legislature sees fit to act prior to that time.

Section 16 provides that Hawaii National Park shall continue under the sole and exclusive jurisdiction of the U.S. Government. The section further provides that the United States will have sole and exclusive jurisdiction over any military installations that are determined by the President or Secretary of Defense to be critical areas.

By means of section 17, the Federal Reserve Act is modified to cover Hawaii.

Section 18 covers maritime matters, and continues in effect the present jurisdiction of the Federal Maritime Board over water transportation to and from the State of Hawaii.

Section 19 provides that the act shall not affect the nationality of any person.

Section 20 makes technical corrections in the Immigration and Nationality Act, to conform it to the new State of Hawaii.

Section 21 applies to the State of Hawaii, section 3(b) of the act of September 7, 1957, which is concerned with the guaranteeing of loans for air feeder lines.

Senate bill 50 differs only in minor respects from the previous Senate bill 50, reported by the Committee on Interior and Insular Affairs in the 85th Congress. For the benefit of my colleagues, I may observe at this time that the bill the Senate is now considering is practically identical with House bill 4221, which was reported yesterday by the Rules Committee of the House of Representatives.

The Committee on Interior and Insular Affairs has reported, for the consideration of this body, a bill which completely and concisely makes statehood for Hawaii a reality.

Mr. President, what will the admission of Hawaii mean to the United States?

On their islands, the Hawaiians have in their own way created the same miracle that we have brought about on the mainland. It is the miracle that we take for granted, although it unfailingly arouses the wonder and approval of foreign observers of our national life. It is the miracle of unity in diversity; of peoples of varying racial stocks, religions, and points of view who retain their individuality, while at the same time they live in harmony with, and actively cooperate with, their neighbors for the good of the whole community, local, State, and national.

Nor is this all. The Hawaiians are also in the process of doing on their islands what we have done on the mainland. Nearly 200 years ago, when our Nation was being born in the minds of our founders, a farmer of French descent among us—Hector de Crevecoeur—wrote

about something new under the sun. He described what he called "that new man—the American." And indeed he was new. He might have been of English, Dutch, Irish, German, or Swedish descent, or of some mixture of these or other strains. But on this soil he became something never seen before, something we describe as "American"—a person easier to sense or to spot anywhere in the world than to describe.

This is also becoming true of Hawaii. There, one finds men of numerous racial strains or admixtures of them: Polynesians, Koreans, Japanese, Chinese, Yankees, Filipinos, Europeans, Micronesians. They are of varying colors of skin, various religions, and various points of view regarding many things. But they are already visibly stamped as something new under the illimitable horizons of the Pacific: they are Hawaiians, and yet they are Americans. They are essentially a new group of people, like their forebears, but, unlike them; they combine, we believe, the best qualities of their ancient and honorable ancestry with the best qualities of the American new world.

In admitting Hawaii to the Union, we shall get more perhaps than we give. It has always been our desire, however skeptically others may have regarded us in the past, to live upon terms of peace, amity, and active cooperation with the great Asian peoples. The achievement of this desire is still a dear objective of all of us; and I think we may come the closer to it as Hawaii becomes a part of the Union, as Asians see that we do mean what we say and do say what we mean.

Recently, in addressing the Senate of the Territory of Hawaii, I said this:

When Hawaii is admitted, it will come into the Union, not just as the 50th State, but as our "diplomatic State"—our "diplomatic representative"—if you please, next door to over one-half of the world's population. * * * Here the Occident and the Orient have met in a climate of mutual trust, understanding, and respect. By precept and example, you have given us in the Pacific the kind of environment which will have a great meaning throughout the Far East.

I think, then, Mr. President, that we may well rejoice in the prospect that Hawaiian statehood, first proposed 40 years ago, is about to become a reality.

In the interval, those of us on the islands and on the mainland have come to know one another better. More than that, we have become one in the fires of a tremendous conflict when the loyalty, the resolution, and the courage of the Hawaiian people were tried and were not found wanting.

We hope that the people of Hawaii will benefit spiritually and materially from their closer association with us in our union of States. But I have no doubt that mainland Americans will benefit greatly through their closer association with the islander Americans.

Soon, throughout the vast reaches of the Pacific, whose waves wash lands that shelter a large part of the human race, the State of Hawaii will stand as a living embodiment of liberty.

Hawaii will represent in the Pacific what West Berlin stands for in Europe—freedom.

Wherever men endure as slaves, as puppets, as the dispossessed and the disinherited, Hawaii will be a star of hope. It will be the exemplification of one of man's most noble political doctrines: Government by consent of the governed.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that, as amended, the bill be considered as original text and open to amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the committee amendments, which have been placed in the Record earlier today are agreed to en bloc.

Mr. JACKSON. Mr. President, I should like to call up some technical amendments which I have sent to the desk, and ask that they be considered en bloc. These amendments are intended to correct grammatical and typographical errors which have been discovered in Senate bill 50 as reported with the committee amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and they will be received.

Mr. JACKSON. The amendments are at the desk.

I ask that the reading of the amendments be dispensed with, and that they be considered en bloc immediately.

The PRESIDING OFFICER. Without objection, the amendments will be considered, and they are agreed to en bloc.

Mr. JACKSON. Mr. President, do I understand that the amendments were agreed to en bloc?

The PRESIDING OFFICER. Yes.

The amendments which were agreed to en bloc are as follows:

Section 5(a), page 4 at line 24, insert a period after the word "title."

Section 7(c), page 14, line 4, strike out the word "Territory" and substitute in lieu thereof the word "State."

Section 7(c), page 14, line 6, strike out the word "Territory" and substitute in lieu thereof the word "State."

Section 7(c), page 14, line 9, strike out the following words: "all of the officers of said territory including."

Section 18(b)(2), page 27, line 15, insert the word "an" before the word "island."

Section 18(b)(3), page 27, line 21, insert the word "an" before the word "island."

Section 22, page 29, line 6, strike out the word "or" and substitute in lieu thereof the words "in any."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KUCHEL. Mr. President—

The PRESIDING OFFICER. The Senator from California.

Mr. KUCHEL. A long dramatic struggle in our political history is now about to conclude. The 60-year-old dream of American statehood for Hawaii, from that day in 1898 when she relinquished her independence to become a part of the United States, is finally about to become a reality.

High on the list of accomplishments of this 86th Congress will be, I feel sure, the admission of the populous and prosperous American Territory of Hawaii into this dynamic Nation of ours.

Hawaii is far more than an historic Pacific island paradise with 600,000 people. This beautiful chain of islands,

with its vigorous, patriotic people, its unquestionably sound public finances, its thriving economy, its highly scientific, intensive agriculture, has met each and every one of our historic tests of qualification for statehood.

But the issue is even greater than that. In this melancholy world, with the evils—against which we and our friends are arrayed, Hawaii and its people, who are our fellow Americans, represent a symbol of freedom and of democracy in modern day action. And her belated admission to the American Union as an equal member will be one more alluring showcase example that America practices the self-government which she preaches.

AMERICAN PEOPLE OF DIVERSE ANCESTRY

Mr. President, we are a heterogeneous people. The people of every race and from every clime on this globe have come, in part, to this North American Continent to enrich our heritage, to create a great American culture, and, beyond that, to add immeasurably to American strength.

The population of the Territory of Hawaii likewise, Mr. President, is heterogeneous in character, and its admission as an equal in our American Union of States will, without question, bring additional strength to the cause of freedom for which our country and our people stand.

Mr. President, this is no partisan or political question. I salute my friend from the Pacific coast, my colleague on the other side of the aisle, the distinguished junior Senator from Washington [Mr. JACKSON], under whose chairmanship our Subcommittee on Territories once again this year has fashioned an admirable bill by which Hawaii may be admitted into the Union.

COMMITTEE ACTION UNANIMOUS

The action of the Interior Committee in amending this bill and reporting it to the Senate was unanimous. It is to the great credit of my able colleague, the chairman of the full committee, the senior Senator from the State of Montana, my friend during my six years in the Senate, that action in the full committee, under JIM MURRAY's chairmanship, was so expeditious and harmonious. As a result, once again the Senate has before it a well-considered, effective bill to establish a new State. I wish also to salute my revered chairman [Mr. MURRAY] on the very eloquent and informative, remarks he has made in this body today on the measure for which he has fought the good fight.

Both political parties again and again have promised the people of the country that Hawaii would be admitted into the Union.

Mr. President, I ask unanimous consent that the text of some of these past platform commitments be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. Is there objection?

Mr. LANGER. Mr. President, reserving the right to object—and I shall not object—I wish to say that I think the distinguished Senator from California will agree with me that one of the men who fought for Hawaiian statehood for

years, and years was the late Delegate Farrington, who passed away some years ago. The fight later was taken up by Mrs. Betty Farrington, one of the most gracious and most lovable women in the entire United States. She has fought hard to bring this day about.

Then, men like Judge Felix in Hawaii, and a score of others, continually bombarded the Senate with letters and resolutions urging statehood for Hawaii.

I particularly desire to refer again to the work done by the late Delegate, Mr. Farrington, because he labored long, long hours, and performed arduous tasks to bring the desire of Hawaii for statehood to the attention of the United States Senate. I know my distinguished friend from California will agree with me.

Mr. KUCHEL. I do, most wholeheartedly, and I thank my able friend the Senator from North Dakota for making this contribution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

PARTY PLATFORM PLANKS

To: Senator THOMAS F. KUCHEL.
From: Stewart French, chief counsel, Interior Committee.
Subject: Hawaiian statehood planks in party platforms.

Indicative of the bipartisan nature of the cause of statehood for Hawaii is the fact that for at least the last 15 years major planks in both party platforms have urged Hawaii statehood. Thus, in 1944, the Republican Party platform stated—

"Hawaii, which shares the Nation's obligations equally with the several States, is entitled to the fullest measure of homerule looking toward statehood, and to equality with the several States in the rights of her citizens and in the application of all our national laws."

This platform was of course accepted by the Republican nominee for President, Thomas E. Dewey, of New York.

Again in 1948 the Republican platform had in it a plank favoring Hawaii statehood.

By 1952, all suggestion of Hawaii statehood at some time in the future had given way to the realization that Hawaii was ready and more than ready for statehood. The Republican Party platform stated simply, "We favor immediate statehood for Hawaii."

This sense of urgency was reiterated in the 1956 party platform. The Republican plank stated, "We pledge immediate statehood for Hawaii."

So, too, with the platforms of the Democratic Party. Their platform of 1944 likewise called for "eventual" statehood for Hawaii.

At the 1948 party convention, it was "immediate statehood."

In the 1952 platform, Hawaii was described as a "vital bastion in the Pacific" that had contributed greatly to the welfare and economic development of our country, and again immediate statehood was urged.

The 1956 Democratic platform provided, in its constructive, affirmative part with respect to Hawaii, that the Territory had contributed greatly to our national, economic and cultural life and was vital to our defense. Immediate statehood was called for.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the Senator from Pennsylvania.

Mr. SCOTT. I thank my distinguished friend from California for yield-

ing to me. I merely wish to say I wholeheartedly and very gladly support S. 50. I am in favor of statehood for Hawaii. I believe I voted seven times for Hawaiian statehood in the other body of Congress.

I served in Hawaii while I was in the Navy during the war. I have been there on many occasions since, and as recently as last December. I have visited all the major islands of Hawaii. I have met the people of Hawaii with their great many different ethnical backgrounds. I have found them to be loyal American citizens. I have enjoyed my association with them.

The Territory has long been ready for statehood. I am glad we have arrived at this happy day in the Senate when we seem to be on the verge of recognizing the merits of the long and ardently held desire on the part of the Territory and people of Hawaii. I look forward to the time when this body will number an even 100 Members. I suppose at that time we shall be known in the press as the "Century Club" and among our Members as "Centurians."

I thank the Senator for yielding.

Mr. KUCHEL. Mr. President, I thank my able friend from Pennsylvania for what he has said on the question of statehood for Hawaii. The people of the Territory of Hawaii do not have a better friend in the Congress of the United States than the able Senator from Pennsylvania. I can recall that when the Senator graced the chairmanship of the political party to which he and I belong, he spoke out on the subject unequivocally. I congratulate him on the courage with which he stated his convictions at a time when it took substantially more courage than it does to assert that position today.

Mr. SCOTT. That was a period when some of us were pioneers, I will say to my friend, the distinguished Senator from California.

Mr. KUCHEL. Mr. President, one of the witnesses before the subcommittee was a good American citizen by the name of Mike M. Masaoka. I wish to read into the RECORD a few sentences from his testimony, as shown on page 69 of the subcommittee hearings.

Prior to World War II, racist myths were current, ascribing to all persons of Japanese ancestry, citizens and aliens alike, an unswerving loyalty to the Emperor of Japan. Immediately after the Japanese attack on Pearl Harbor, wild and distorted rumors asserting that the Japanese in Hawaii engaged in sabotage and espionage were circulated.

The fact of the matter is that according to the Federal Bureau of Investigation and the Army and Navy Intelligence not a single case of espionage and sabotage was committed by a resident alien or citizen of Japanese origin before, during, and after the attack on Pearl Harbor. Indeed, the first Japanese enemy captured was by a Japanese-American.

Although purchased at a high cost of lives and personal resources, the magnificent wartime record of the Nisei and Issei in Hawaii and the United States conclusively demonstrated that—

Americanism is a matter of the mind and the heart;

Americanism is not, and never was, a matter of race or ancestry.

More recently, on the battlefields of Korea, the men of Hawaii were again fighting and dying with their fellow Americans

from the continental United States. As in World War II, Americans of Japanese ancestry carried their share of the load, for the records reveal that based upon population more than three times as many Japanese-Americans were wounded and killed in Korea than the national average.

In this record of devotion and sacrifice lies the answer to those who question the loyalty of the so-called Japanese population in Hawaii. They have purchased with their blood the right to be accepted as Americans individually and to have statehood extended to the Territory that gave them birth and imbued in them that spirit of liberty and freedom that inspired their war-time gallantry.

If to assimilate American ideals and traditions is to understand the meaning of democracy and to have such faith as to be willing to go out and die for our country in spite of prejudice, discrimination, mistreatment, and persecution such as Japanese-Americans were subject to after the attack on Pearl Harbor, then Americans of Japanese ancestry in Hawaii have been completely assimilated into our way of life.

SUPPORT OF BOTH REPUBLICAN AND DEMOCRATIC ADMINISTRATIONS

Mr. President, to the credit of the present administration, President Eisenhower and his Secretary of the Interior, Fred Seaton, our former colleague in this body, have been in the vanguard of those who have fought for Hawaiian statehood. So that there may be no misunderstanding of the fairness in which I try to make this discussion today, let equal credit be given to President Harry Truman and his able Secretary of the Interior, Oscar Chapman, who with equal vigor again and again urged the Congress of the United States, no matter which party was in control of the Congress, to admit Hawaii into the Union as a State.

Mr. President, I now ask unanimous consent that excerpts from the testimony of Secretary Seaton before the committee be printed in the RECORD at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

There can be no possible question concerning the position of the administration on Hawaii statehood. Since this Congress convened, the President has on several occasions urged the Congress to admit Hawaii into the Union as a State. You are dealing this year not with an enabling act but with admission act. We of the executive branch wholeheartedly concur in this approach and recommend that the bill before you be dealt with as expeditiously as possible.

The record is clear. For over 100 years people of Hawaii have been dedicated to the goal of complete union with our mainland. The accomplishment of their goal became inevitable with the annexation of Hawaii in 1898 as an "integral part of the United States." To me, there can be no question properly raised as to whether Hawaii should become a State. The question is simply "when shall Hawaii become a State?"

As a personal observation, I believe that the language we all use in referring to the admission of Hawaii "into the Union" is not technically correct. Hawaii is as much a part of this Union today as any State. As an incorporated Territory, and the only one we have left, Hawaiians are subject to all of the obligations imposed upon any citizen in any State by the Federal Government. The problem arises because they are denied some of the most precious prerogatives of free-

men, among them equal representation and the right to vote in national elections.

The record is also clear on another aspect of the subject before you. Since the incorporation of Hawaii into the Union, Hawaiians have developed their islands at a rapid pace. Any part of the Hawaiian economy, culture, philosophy, or political institutions that is examined today will be found to be a duplicate of or modeled after the way of life in vogue in the continental United States. Hawaii is the picture window of the Pacific through which the peoples of the East look into our American front room.

This will be particularly important in our future dealings with the peoples of Asia, because a large percentage of the population of Hawaii is of oriental or Polynesian racial extraction. The participation of the people of Hawaii in the full measure of the benefits of American citizenship will bring a fresh, new, informed outlook to our councils. More significantly, the peoples of those eastern lands washed by the waters of the Pacific will look through that front window of ours and take renewed notice that we do, indeed, practice what we preach. There can be no finer way to demonstrate the dynamic nature of our Union and the everlasting validity of the principles upon which our Republic was founded than by the admission of Hawaii as a State in this session of Congress.

While I have mentioned the racial background of some Hawaiians, let me hasten to point out that it would be both unfair and inaccurate to conclude that the objectives of Hawaiian people are in any way "foreign" to those of any other American group. No conclusion could be further from the truth. The overwhelming majority of Hawaiians are native-born Americans—they know no other loyalty and acclaim their American citizenship as proudly as you and I.

One argument against Hawaiian statehood, that of Communist infiltration, seems to demand explanation here today. Historically, even this is not a completely new subject in debate and consideration of statehood, because the question of loyalty to the United States has, indeed, been raised in regard to other States prior to their admission. Debate in Congress as to the extent of French influence in Louisiana and that of the Spanish-speaking people of New Mexico are significant examples. The Communist question, of course, presents a new ramification of the subject of loyalty not presented in the past, and that is whether any substantial segment of Hawaii actually is committed to a doctrine which advocates the violent overthrow of the very Government in which the overwhelming majority of Hawaiians seek to permanently become a full partner.

For myself, I believe that this committee and all advocates of Hawaiian statehood will squarely face the Communist issue.

The people of Hawaii have time and time again rejected completely the Communist philosophy and have thwarted every attempt of the Communists to influence their government.

The proposed constitution of the State of Hawaii contains a far-reaching prohibition against any Communist holding public office or public employment of any kind.

A perennial target of alleged Communists in Hawaii has been the law enacted by the 1949 Territorial Legislature following a prolonged dock strike, which empowered the Territorial government to seize Hawaiian docks in the event of a strike. Notwithstanding four general territorialwide elections for the legislature, those laws are still on the books in Hawaii today. In each election the laws were an issue, and in each legislative session attempts have been made to repeal them. This is a prime example of the dogged determination of Hawaiians to

stand firm on what they consider to be a matter of principle.

COMMUNISM NO GREATER THREAT IN HAWAII THAN ELSEWHERE

Mr. KUCHEL. Mr. President, a few continue to say, "The problem of communism ought to prevent Congress from now admitting Hawaii into the Union." I deny that. There may well be a problem of communism in the Territory of Hawaii, precisely as there is a problem of communism in the State of California or in the United States as a whole. Indeed, there is a problem of communism today which faces every free nation around the globe.

In that connection I wish to point out that 8 years ago, in 1950, the people of the Territory of Hawaii on their own initiative adopted a constitution which would govern them on their admission as a State. Section 3, article 14, reads as follows:

No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of the State or of the United States shall be qualified to hold any public office or employment.

That is a quotation from the proposed constitution for the new State of Hawaii which the people of Hawaii drafted and adopted for themselves.

Mr. President, the problem of communism, whatever it may be, will not change when statehood status is given to Hawaii; or, if there is to be any change at all, it will be a change to give the people of that great part of our country a better opportunity to cope with the problem at first hand.

EYES OF FORMER COLONIAL PEOPLES ON AMERICA

For an entire generation, an American Territory, whose citizens are thoroughly American in every respect—has been ready for statehood. Its people have long been asking for admission to equality in our Union. The whole world—especially the former colonials of the Pacific—await America's decision.

Hawaii has been at the threshold of statehood for nearly 60 years, patiently and graciously, in the face of a dreary succession of delays and setbacks. Since 1903, the Territory, through its legislature, has petitioned Congress for statehood on 17 different occasions. Since 1920, no fewer than 66 bills have been introduced in successive Congresses, calling for statehood for Hawaii. The House and Senate Interior and Insular Affairs Committees have held 22 hearings on Hawaii statehood since 1935. The record on the subject comprises more than 6,600 printed pages of testimony and exhibits. More than 850 witnesses have been heard in Hawaii and in Washington.

Seven of the hearings have been held in Hawaii, in 1935, 1937, 1946, 1947, 1948, 1954, and 1959. The Hawaii statehood question has been considered longer and more thoroughly studied than any other statehood proposal ever to come before Congress.

EARLY HISTORY OF STATEHOOD MOVEMENT

The granting of statehood to Hawaii now, some 61 years after its annexation, is in the national interest. It is a logical step in our growth to political maturity.

It amounts to nothing more than the granting of a diploma in self-government to a segment of our people who long since have achieved political and social maturity. It should be accomplished without further delay.

History shows how truly American is Hawaii's case for statehood. Early in 1893, when the Kingdom of Hawaii was overthrown, a provisional government was established. There were charges that the American Minister to Hawaii had had too large a hand in the uprising. This gained credence when the provisional Government sent a mission to the United States with instructions to arrange for the transfer of the sovereignty of the islands to the United States.

Opposition to annexation came from many quarters, both at home and abroad. Distance was cited as an obstacle. Non-contiguity was advanced as a bar. Race was put forth as an argument. Economic and political assimilation of Hawaii was declared to be an impossibility.

LEGALISTIC OPPOSITION

The strongest arguments against annexation, however, were purely legalistic. Annexation was declared to be repugnant to the Constitution and our form of Government.

In the forefront of the antiannexationists was the great author-jurist Thomas M. Cooley. "Apparently it is expected," wrote Cooley in the *Forum* for June 1893, "that the islands will be taken in as an outlying colony of the United States, not as a Territory of the sort we now possess and govern, and not, so far as we are notified, with any expectation that they are to be by-and-by accepted as one of the States of the American Union. Government as a colony is what it is said those proposing the annexation would prefer."

The proponents of the argument that annexation was in violation of the Constitution were confronted, however, by a number of historical precedents which defied rebuttal. The purchase and annexation of Spanish Florida—the acquisition of French Louisiana—the annexation of the Republic of Texas—the acquisition of Alaska, then commonly referred to as Russian America.

PRECEDENT OF LOUISIANA PURCHASE

The legal arguments of the antiannexationists were on infirm ground. Actually the matter had been settled many years before by none other than Thomas Jefferson. Jefferson, though frankly admitting that the Constitution contained "no provision for our holding foreign territory and still less for incorporating foreign nations into our Union," nevertheless went ahead and purchased the Louisiana Territory from Napoleon. His record for legal nicety was overcome by consideration of the national interest. When members of his own party had risen in opposition to the Louisiana purchase, Alexander Hamilton and Gouverneur Morris, Jefferson's principal political opponents, had come to his support. Soon after Louisiana was purchased and annexed, its inhabitants, in spite of national origins differing from those of the predominant portion of our population, were welcomed into the Union.

The annexation of the Republic of Texas was largely the handiwork of that great statesman and patriot, John C. Calhoun. Texas had been a part of Mexico and Mexico still asserted claims of dominion. It was inhabited by a population not homogeneous with our own and had been settled by pro-slavery Americans.

The purchase and annexation of Alaska, in 1867, brought in a territory not contiguous to the rest of the Union. At the time of its annexation Alaska was largely inhabited by Eskimos and Indians.

Thus, the Constitution had been interpreted prior to the Hawaiian annexation movement to allow for the expansion of the territorial borders of the United States. Although concepts of the Constitution of the United States ran back through the Magna Carta and English Common Law, it had already been found adequate for the preservation and protection of the human and property rights of such peoples as Frenchmen, Spaniards, Indians, and Mexicans.

OLD WORLD POWERS DISAPPROVE

The antiannexationists, nevertheless, won the argument in 1893. President Harrison ordered the lowering of the American flag from the government building in Honolulu. A constitutional convention was called and, on July 4, 1894, the Republic of Hawaii was proclaimed.

The victory of the antiannexationists in the early 1890's was attributable in no little part to diplomatic pressures from Great Britain, France, and Germany. Old World colonial powers did not relish the idea of the Hawaiian Islands coming into the possession of the United States. The United States, on the other hand, was determined that Hawaii should not fall into other hands.

Thus, toward the close of the 19th century, the people of Hawaii found themselves facing an unhappy situation. As an independent nation, they were too weak to survive long, but their wealth and strategic location made them desirable to several other nations. Yet, they wanted to cast their lot with the United States, their largest customer and the homeland of a substantial part of the island population. The United States seemed reluctant to receive them.

ANNEXATION A NATIONAL ISSUE

Hawaiian annexation became a national issue. One of the leaders of the Hawaiian annexation movement was Senator John T. Morgan of Alabama. He made many speeches and wrote many articles urging annexation of the islands.

One of the most forceful of Senator Morgan's articles was published in the *Forum* for March 1898. It was entitled "The Duty of Annexing Hawaii." It was written in reply to a previous article by Great Britain's Right Honorable James Bryce, M.P., which had obligingly pointed out to Americans the dangers of the annexation of Hawaii by the United States.

The arguments advanced by Senator Morgan for annexation of Hawaii in his reply to Bryce have a ring of familiarity to us today as we consider statehood

for Hawaii. The following are some excerpts from Senator Morgan's article:

From the beginning we have uniformly declared that the Hawaiian Islands and people hold to the United States a relation that does not exist between them and any other nation and that we will not permit to exist with any other country.

It is quite safe to assert that, for military and strategic reasons, the authorities are overwhelmingly in support of the annexation of Hawaii and agree as to the serious danger to our country of allowing these islands to become a base of operations for any European or Asiatic power against our western coasts.

Annex Hawaii, and we will rapidly build up at Honolulu, in sight of Pearl Harbor, a commercial mart, like Hong Kong, protected by a fortress, easy of construction, far stronger than Gibraltar, that will stand sentinel over the surrounding ocean for thousands of miles.

Senator Morgan had great vision for Hawaii.

The Republic of Hawaii was annexed at the turn of the century and incorporated into the Union as an organized Territory. Hawaii is now ready for statehood—for a status of equality in our political system. It is generally agreed throughout the United States that this step should be taken. This is established by public opinion polls and newspaper comment which is overwhelmingly in favor of statehood now.

HAWAII BILL PASSED BY HOUSE THREE TIMES

In June 1947 the House of Representatives enacted legislation approving statehood for Hawaii. The vote was 196 to 133.

On March 7, 1950, for the second time in our history, elected representatives of the people of the United States acted to bring statehood to Hawaii. On this date the second bill to enable Hawaii to come into the Union as a State was passed by the House of Representatives. The vote was overwhelming—262 in favor to 110 against.

On March 10, 1953, the House for a third time passed, by a vote of 274 to 138, the bill to enable Hawaii to become a State. The Senate on April 1, 1954, by a vote of 57 to 28, passed the combined Hawaii-Alaska Enabling Act.

In the 84th Congress statehood for Hawaii and Alaska was considered jointly in comprehensive hearings. On May 10, 1955, H.R. 2535 was recommitted by the House to the Committee on Interior and Insular Affairs by a vote of 218 to 170. On August 23, 1958, in the closing days of the 85th Congress, the Committee on Interior and Insular Affairs, by a vote of 22 to 4, reported H.R. 49, introduced by Delegate JOHN A. BURNS, to the House, but the bill was not scheduled for floor debate.

Today, with Alaska in the Union as the 49th State, it is Hawaii's rightful turn.

DESIRE OF PEOPLE OF HAWAII

The people of Hawaii have long aspired to statehood. In a 1954 debate in the House of Representatives, Hawaii's Delegate to Congress, the late Hon. Joseph R. Farrington, stated that if a vote were taken today, Hawaii's people would vote 4 or 5 to 1 for statehood now.

S. 50 calls for a plebiscite in Hawaii on statehood so there can be no question

but that statehood will be in accord with the wishes of the people of Hawaii.

Today, at the close of the first half of the 20th century we are again confronted with a situation in the Pacific which forebodes little good for our security and national well-being. It is a situation which also threatens the future of our friends and neighbors in the Pacific. It is my conviction that statehood for Hawaii at this juncture of history will serve notice to the world that we are in the Pacific to stay and that we are there in the interests of man's freedom and of self-government. Statehood for Hawaii will bind us closer together as a nation.

STATEHOOD URGED IN 1898

Over a period of five decades Congress has heard many eloquent appeals for the admission of Hawaii into our Union. None more so, however, in my opinion than that uttered by Representative Charles Lewis Henry, of Indiana. Speaking to the House of Representatives on June 13, 1898, urging, even as I am doing now, support for this longstanding measure, Mr. Henry said:

We want these islands because of their value from a naval and military point of view; we want them on account of the commercial advantages which they will bring to our country; we want them in order that no foreign power may use them as a base of operations against us in time of war; we want them because they are more contiguous to our territory than to that of any other nation; we want them because they are geographically a part of the United States; but Mr. Speaker, we want them more than all on account of the true Americans who have made their homes upon these islands and now seek to present these islands as a free offering to their mother country. Let us pass these resolutions, and bring back again into the family fold the people who have been away from home establishing us a home in these delightful islands.

Let us proceed to pass this proposed legislation and to prepare to welcome the State of Hawaii.

Mr. President, I have the honor in part to represent 14 million people in California. I think over the years the people of California have been most friendly and most intimate with the people in the Territory of Hawaii. Long ago the people of my State looked forward to the day when their friends in Hawaii would be citizens of another State in the American Union. Time and again representatives of the government of California have appeared before the committees of the Congress to urge statehood for the Territory of Hawaii.

ADVOCACY BY HON. EARL WARREN

Perhaps the most distinguished of California's Governors, who is now the distinguished Chief Justice of the Supreme Court of the United States, spoke unequivocally in favor of statehood for both Alaska and Hawaii in 1950, and I ask unanimous consent that the text of his comments as set forth in the hearings by the Senate Committee on Interior and Insular Affairs on H.R. 49, 81st Congress, in 1950, be printed in the RECORD at this point in my remarks.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. EARL WARREN, GOVERNOR OF THE STATE OF CALIFORNIA BEFORE INTERIOR COMMITTEE IN 81ST CONGRESS

(NOTE.—The testimony of Governor Warren, when he appeared before the committee on April 24, 1950, with reference to Alaska statehood, is inserted herein in its entirety at his request.)

Senator ANDERSON. Now, Governor Warren, if time permits, I would like to give personal testimony to the nice way in which you treat members of the Government when they come to California, and particularly to your courtesy to me when I was out there as Secretary of Agriculture. We are very happy to have you with us this morning and will be glad to hear anything you have to say on this question of statehood for Alaska. If you find it inconvenient to be back here the following week to tell us anything you desire about Hawaii, if you wish at this time to add anything you have to say about Hawaii, the door is open for you to add that additional material this morning, if you desire to do so.

Governor WARREN. Thank you very much, Mr. Chairman, and gentlemen of the committee. That is very generous of you, and I appreciate it, because I am under commitment to be in Sacramento tomorrow morning at the opening of business.

I apologize for not having a written statement, but I do not propose to offer any statistics, because I am not here as an expert on the economy of Alaska, I am not here as an expert on the defense of Alaska, nor am I familiar with the details of H.R. 331. I am appearing here as a neighbor, from a neighboring State, a State that is friendly to Alaska and that is hopeful for the opportunities that it may have in the future. I am also appearing as a westerner who happens at the moment to be chairman of a Governors' conference of the 11 Western States, which organization has gone on record several times during the past few years in favor of statehood for Alaska.

We in the West believe that the development of any part of the West is of great benefit to the entire West, and we consider Alaska as an integral part of the West. We have had the association of its Governor in the council of the Governors' Conference Committee 5 or 6 years, and we have come to believe that this is the time for Alaska to be given statehood.

We believe that we have a particular interest in the defense of Alaska, and we believe that if Alaska is given statehood, is given an opportunity to develop its resources and its civilization, that it will be a greater factor in the defense of our Nation than it could otherwise be. We believe, in the last analysis, the defense of Alaska will come from the civilization that we develop there rather than just from the airplanes that we send there, or the fortifications that we develop. We are of the opinion that Alaska will not develop to the fullest extent of its potentialities unless it does achieve statehood.

We believe that no Territory of this country that is owned, more than 98 percent, by the Government and managed by it, by bureaus as far away as Washington is from Alaska, can give the people the opportunity to develop in accordance with American principles and ideals.

We believe that this is a particularly significant time, so far as the development of Alaska is concerned, because it is the outpost of our civilization, it is the outpost of our democracy, and we fervently believe that if people are encouraged to go to Alaska and develop its resources that we can make that portion of our country more secure than could otherwise possibly be done.

We believe that statehood will increase the population of Alaska much faster than it has developed in the past. While we are interested in the welfare of Alaska, we are also

interested in our own welfare, and we believe that the development of Alaska will help our economy. We believe that the more people there are there, the more trade they have, the more we will share in it and the better it will be for our people.

We believe that it is only justice for the people of Alaska that they be admitted into the Union of the States. For 83 years Americans have lived in Alaska, and for the last 38 years they have lived under a Territorial government. The people have served in two wars, they have served faithfully and loyally, they have paid the taxes that our Government has imposed upon them, and we believe that they have earned statehood in every sense of the word.

On the question of the population, I want to say that Alaska has more people now than my own State had when it was admitted to the Union 100 years ago.

Senator CORDON. May I also suggest, Mr. Governor, that at the time your State was admitted it also was noncontiguous with another State?

Governor WARREN. Yes, sir. Senator, I was about to say that, and also to point out that I left San Francisco yesterday afternoon at half past four by the fastest mode of transportation that we have, arriving here at 9:30 this morning, and I could have gotten to southern Alaska quicker than I could have gotten to Washington by the same mode of transportation. So we do not feel that the distance out there on the Pacific coast is material to this issue. We are used to distances, and we believe that the great distances in the West represent a great part of its strength.

So we feel that the people of Alaska have earned the right to statehood, and we believe they have earned the right to full development under statehood.

Now, there are always those who view with alarm the distance that the West has been from the Atlantic coast whenever a new State sought admission to the Union, and even some very famous men, men of this Senate, have expressed that alarm in times gone by. I happened to run across a statement of Daniel Webster in the U.S. Senate just a little over 100 years ago, in which statement he said this:

"What can we do with the western coast? A coast of 3,000 miles, rock-bound, cheerless, uninviting, and not a harbor on it. I will never vote 1 cent from the Public Treasury to place the Pacific Ocean 1 inch nearer Boston than it is now." [Laughter.]

Senator ANDERSON. Governor, I will say to you I used that quotation some time ago, and the Library of Congress told me Daniel Webster never said that. I think both of us ought to check it.

Governor WARREN. I quoted it from what I considered was good authority.

Senator ANDERSON. I took it on the best authority that I thought there was in the world. I hope it is true, but I just was not able to find it as yet. You do recognize it is typical of the thinking of a great many people 100 years ago.

Governor WARREN. Yes, and perhaps, some people today, and I say that without intending to give any offense.

I am sure Alaska seems a great deal farther away to many people in our country than any of the European countries, and perhaps some of the Asiatic countries, but really it is not far away. I believe it can be integrated with the other States in the Union, and I am also of the opinion that it will never develop to its full potentialities and possibilities until it does have the same opportunities for self-government that the other people in the United States have.

I believe this is the time for us to integrate our policy on the self-determination of people, and inasmuch as these people have lived there for a period of 83 years

under our sovereignty and for 38 years as a Territory and fulfilled every obligation that has been put upon them, it seems to me a matter of common justice that they should be admitted to statehood and should stand in the way of totalitarianism spreading its influence from the Eastern Hemisphere into the Western Hemisphere. I think, if given statehood, the people of Alaska would measure up to that responsibility.

I thank you very much, Mr. Chairman.

If I might just say a word now on the question of Hawaii, because I must return to California.

Senator ANDERSON. May I ask you just this question?

Governor WARREN. Yes, Senator.

Senator ANDERSON. Has the Council of Western State Governors to which you referred adopted officially resolutions on the question of statehood for either Alaska or Hawaii?

Governor WARREN. They have adopted officially resolutions favoring both.

Senator ANDERSON. Both?

Governor WARREN. Yes, sir.

Senator ANDERSON. Would you supply for the record copies of these resolutions?

Governor WARREN. Yes sir.

Senator ANDERSON. Thank you.

The resolutions adopted by the Governors' Conference are as follows:

"JULY 13-16, 1947.

"XIV. STATEHOOD FOR HAWAII

"The people of Hawaii have at the ballot box expressed their desire to achieve statehood. Hawaii is one of the two incorporated Territories of the United States for which statehood, following American tradition and precedent, is clearly indicated as their destiny. Hawaii has been under the American flag for 49 years and has, therefore, undergone a period of preparation and tutelage far longer than that of most Territories, before they achieved statehood. The expressed wish of our own fellow citizens of Hawaii is merely for the fulfillment of the moderate, understandable, traditional, and legitimate aspiration to achieve full equality and responsibility in the family of States and for self-government according to the established American pattern.

"Therefore, the Governors' Conference hereby expresses its sympathy with the recorded desire for statehood of the people of Hawaii, and endorsed the passage of suitable legislation by the Congress to achieve that end.

"JUNE 13-16, 1948.

"IX. STATEHOOD FOR ALASKA AND HAWAII

"The Governors' Conference hereby reiterates its sympathy with the recorded desire for statehood of the people of Alaska and Hawaii, and endorses the passage of suitable legislation by the Congress to achieve that end.

"JUNE 19-22, 1949.

"X. STATEHOOD FOR ALASKA AND HAWAII

"The Governors' conference urges the Congress promptly to enact enabling legislation to admit Alaska and Hawaii to statehood.

"IV. STATEHOOD FOR ALASKA AND HAWAII

"(Resolution adopted by the western Governors' conference, Salt Lake City, Utah, November 7-8, 1949)

"The last three national Governors' conferences have adopted resolutions urging the admission of Alaska and Hawaii to statehood.

"Since in two successive Congresses, the 80th and the 81st, the committees to which were referred the bills providing statehood for the Territories of Alaska and Hawaii have reported favorably thereon, the conference of western Governors now urges the Congress to act on this legislation at the coming session and speed the admission of the 49th and 50th States."

Governor WARREN. While I am not chairman of the national conference, it also has adopted resolutions recommending statehood for both Alaska and Hawaii.

Senator ANDERSON. If there is no objection, we will hear the Governor at this time on Hawaii also.

Senator BUTLER. While their resolution was on the question of statehood for Hawaii, it was not on H.R. 331.

Governor WARREN. That is true.

Senator BUTLER. There is a vast difference between the two, you understand that.

Governor WARREN. Yes.

Senator BUTLER. I am strong for statehood for Alaska and Hawaii, under proper conditions, but I do not think they are getting anything like a fair deal under H.R. 331. Of course, I am open to conviction. Maybe the Governor over there can convert me before we are through taking his statement.

Governor WARREN. No, Senator; our resolutions were directed to statehood for Alaska and Hawaii now, not at some distant date in the future. We are for statehood now. As to the terms and conditions of the admission, we have little knowledge and have nothing to urge at this particular time.

Senator ECTON. Mr. Governor, may I ask you if your conference made any recommendations as to the provisions under which Alaska should be admitted as a State?

Governor WARREN. No; we did not. I can say to you, from a discussion with all of the members of the conference, that it was hoped that it would be under conditions that were most favorable to a State; a new State that would have a very hard job to do, and certainly on terms equal to those that have heretofore been granted to other States as they were admitted to the Union.

Senator ECTON. Thank you.

Senator LEHMAN. Governor, may I ask you this question: I want to emphasize that resolution of the national conference of Governors, of which I was a member for a great many years, is pretty significant, because it is not just one of these hurried resolutions that are acted upon after 5 minutes' consideration. Those resolutions are first submitted and discussed by the executive committee, and then a statement is made to the entire conference, so they did receive very careful consideration.

Governor WARREN. Yes. It so happens, Senator, that I was both on the executive committee and on the resolutions committee, and I know that is true, and that it was considered very seriously by the executive committee and at the conference itself. The resolutions committee gave a great deal of time to the consideration of these resolutions.

Senator LEHMAN. That was my question. Thank you.

Senator ANDERSON. How unanimous was their action? Was it close or overwhelming?

Governor WARREN. It was unanimous, Senator, because we have the rule in the Governors' conference, both in our national conference and in our western conference, that we do not adopt resolutions unless they are unanimous.

Senator ANDERSON. That would be a very good rule to have here.

Governor WARREN. The reason for that is because there is so much diversity of opinion, the country is so complex, and unless we can arrive at a unanimous conclusion we do not think it would serve any great purpose.

Senator ANDERSON. Thank you for your statement.

Now, if you will proceed with the question of Hawaii.

Governor WARREN. Mr. Chairman, it seems to me everything that I have said concerning Alaska could well be said concerning Hawaii, and I can add to that also the fact that California has been particularly close to Hawaii for a great many years, and we feel our eco-

nomie relations and our social relations with the islands at this time, and for many years in the past, have been just as close as with any of the States of the Union, and much closer than with many of the States of the Union.

We believe that Hawaii, having been a Territory for 52 years and having been an outpost for this country during two wars, and having served faithfully in both of those wars, has earned statehood, if it is possible for any people to earn statehood.

We believe that the islands have the resources and the ability to take care of themselves, and having paid into the United States Treasury, as I am informed, much more than they have ever received from it, they are well able to govern themselves, to finance themselves in every respect.

We believe that a half million people in those islands to be deprived of full citizenship for any greater length of time would be an injustice to them and would be a reflection upon the integration of the principles that we have expressed in the United Nations, and otherwise. In California we feel very earnestly that Hawaii should be admitted to the Union at the earliest possible day.

Senator ANDERSON. Are there any questions of Governor Warren by any members of the committee?

Senator BUTLER. Governor, I just have one question.

Governor WARREN. Yes, sir.

Senator BUTLER. I have the impression that there would be very little opposition, if any, to the admission of Hawaii to statehood as a part of California.

Governor WARREN. Well, Senator Butler, we are pretty aggressive out there in California in a lot of ways, but I never have heard California express the desire to take Hawaii into the territorial limits of California.

Senator BUTLER. Well, they are fine people.

Governor WARREN. I have never heard a public discussion of that in my State, where any Californians have ever advocated that. I feel certain that if it were advocated it would be overwhelmingly repudiated, not because we do not like the people of Hawaii, but because we do not want to force ourselves upon them. We believe it would be unfair to them, we believe they would resent it, and there isn't any reason that we can see why those islands at that distance should become a part of the jurisdiction of any State on the mainland.

Senator BUTLER. The distance you said a while ago was no factor in this matter, and I think so, myself—I agree with you in that—but I do think the economy being built largely around sugar in Hawaii, almost entirely on sugar, and the economy and social relations having been so close over the years, that it would not be a bit different than adding another county down below the southern California line, if that was possible.

Governor WARREN. Senator, a difference for one purpose might be one thing, and for another purpose it might be something entirely different. So far as becoming an integral part of the Union and as one of the States of the Union, it seems to me that the distance between the mainland and Hawaii is insignificant, but when it comes to a question of local government in each of these islands in the Hawaiian group, making them counties of California, it seems to me it would present problems that might be insurmountable.

Senator BUTLER. I do not think it would present any problems that would be insurmountable for the State of California any more than for the United States Government.

Governor WARREN. That is, of course, Senator, local government and on a different footing and representation in a State legislature, which, it seems to me, is on a far more intimate basis and on a far more local

basis than representation in the Congress of the United States and in the other agencies of the Government.

Senator ANDERSON. Are there any additional questions? If not, thank you very much, Governor, and if you, or the associations to which you referred, desire to make any supplementary statement, we would be glad to have it.

Mr. KUCHEL. Lastly, Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a copy of a letter dated March 10, 1957, addressed to the distinguished senior Senator from Virginia [Mr. BYRD] by the Secretary of the Interior, together with the enclosures. This letter contains highly important and significant information with respect to the Territory of Hawaii that bears directly on the issue of statehood.

There being no objection, the letter and enclosures were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 10, 1959.

Hon. HARRY F. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: We have your letter of February 20 and are pleased to provide you the following information concerning Hawaii.

Hawaii was annexed to the United States on July 7, 1898, by request of the Hawaiian Legislature and pursuant to a joint resolution of the U.S. Congress. Formal transfer took place on August 12, 1898. Upon the enactment by the Congress of its Organic Act on April 30, 1900, Hawaii became an incorporated, organized Territory of the United States. United States citizenship was at the same time conferred upon the citizens of the former Republic.

According to the 1950 Census, Hawaii's civilian population was 476,913. The present civilian population is estimated to be approximately 578,000. The enclosed table lists by racial ancestry Hawaii's population in 1950, and in January 1958. We do not know the number of aliens by race group. Of the present civilian population, however, about 85 percent are American-born or naturalized U.S. citizens.

The economy of Hawaii is well developed and prosperous.

Among civilian industries agriculture is still the major source of income, although manufacturing and tourism are growing rapidly.

Significant economic data are as follows (all figures 1957):

Sugar production: Tonnage, 1,084,646; value, \$146 million.

Pineapple: Exports, cases canned, 30,787,208; value, \$110,200,000.

Other agriculture: Value, \$45,823,000.

Tourism: Number of visitors spending 2 days or more in the islands, 168,829; tourist expenditures, \$77,600,000.

Manufacturing: \$101,955,824.

Retailing: \$666,467,660.

Wholesaling: \$277,650,632.

All services: \$128,548,264.

Armed Forces expenditures, appropriated funds: Civilian payroll, \$97,828,000; military payroll, \$141,182,000; goods and services, \$68,930,000.

In terms of average incomes and standards of living, Hawaii compares well with stateside averages. According to the U.S. Bureau of the Census, total personal income in Hawaii in 1957 was \$1,098 million, a figure greater than that of eight of the present States. Average personal income per capita in Hawaii in 1957 was \$1,821, a figure which places Hawaii ahead of 24 of the present States in this respect. From 1956 to 1957, Hawaii showed a gain in total personal income of 7 percent, slightly larger than the 5 percent gain of the continental United States. From 1950 to 1957 Hawaii gained 59 percent in total personal income, again somewhat larger than the 53 percent gain for the continental United States for this period.

The present trend of income and economic development continues to be upward, particularly in such fields as tourism and light manufacturing. For example, the number of visitors staying 2 days or more increased from 43,593 in 1950 to 168,829 in 1957, and private investment in tourist facilities such as resort hotels is growing at a rapid rate. Recent discoveries of tremendous deposits of bauxite offer hopes of adding a new mineral industry to the Territory's economy. Certain branches of agriculture likewise are capable of expansion; however, the land resources of the islands are generally well developed and further increase in agricultural production may well be limited by the limited acreage of land yet available.

Shipments to Hawaii from the continental United States and imports from foreign countries in 1957 amounted to \$488 million, of which all except \$24 million represented purchases from the mainland. We assume that this figure of \$488 million may be taken as representing Hawaii's requirement during a prosperous year for goods to be brought in from outside the islands. To pay for this level of imports and sustain her economy, Hawaii provides the United States with about one-eighth of our sugar needs, 85 percent of our canned pineapple, and miscellaneous other products, and bolsters her income with tourism and with the provision of goods and services to military and Federal civilian personnel stationed there.

Hawaii is also a taxpaying partner of the present States on a large scale. Residents of Hawaii all pay the same taxes to the Federal Treasury as do residents of the present 49 States. In 1957 payments to the Federal Government by Hawaiian residents amounted to \$183 million, compared with total Federal expenditures in Hawaii (other than military expenditures) of \$77 million.

At present, the Territorial government of Hawaii is solvent and well-financed from adequate local revenue sources. From its local revenues it provides the whole range of services (education, health, highway construction and maintenance, Territorial institutions, etc.) commonly provided by any

State for its own people, and on a comparable scale. The grant of statehood would make little difference to the fiscal position of the government of Hawaii or to the Territorial taxpayer of Hawaii, since virtually all the costs of government services at the Territorial-local level are already defrayed from local revenues.

With respect to Federal assistance, Hawaii receives generally the same treatment as do the States on most Federal grant programs, such as public assistance under the Social Security Act, wildlife and fish restoration, aids for agricultural extension work, and the like. In these cases Hawaii's apportionment is generally computed on the same basis as any State's, and Hawaii's matching requirement is generally the same.

The only items of Federal expenditure peculiarly attributable to Hawaii's territorial status are the salaries of the Governor, government Secretary, one other person in the Governor's office, and the Members of the territorial legislature (for one session per biennium only), and a portion of the salaries of 14 territorial judges. The total of these items amounts to an average of \$231,775, per year. This figure represents the additional cost of statehood to Hawaiian taxpayers. It represents about one-quarter of one percent of the territorial budget.

With respect to revenue sources and territorial expenditures, we enclose a copy of the Governor's 1957 annual report, which gives some data on pages 11 through 15. The 1958 report, now being printed, will give somewhat more detail. Although the latter report is not yet available for distribution, we enclose copies of pages 15 through 17 of the page proof, which include all the financial tables.

Sincerely yours,

ROGER ERNST,

Assistant Secretary of the Interior.

Copy to Hon. THOMAS H. KUCHEL, United States Senate, Washington, D.C.

Latest population figures show proportionate increases in the Territory's Caucasian and part-Hawaiian groups. All other groups show relative declines except the Negro which remained the same. All groups showed numerical increases except the Hawaiian. Breakdown by race is as follows:

	1950		1958	
	Per- cent	Number	Per- cent	Number
Hawaiian.....	2.5	11,786	2.0	11,390
Part-Hawaiian...	14.8	69,774	16.0	91,120
Caucasian.....	23.0	108,433	25.0	142,376
Chinese.....	6.5	30,644	6.0	34,170
Filipino.....	12.2	57,517	12.0	68,341
Japanese.....	36.9	173,564	35.0	199,326
Korean.....	1.4	6,600	1.3	7,404
Negro.....	.5	2,357	.5	2,848
Puerto Rican....	1.9	8,958	1.8	10,251
Other.....	.3	1,414	.4	2,278
Total.....	100.0	471,447	100.0	569,504

Source: Department of sociology, University of Hawaii; Department of Health, Bureau of Health Statistics; EIA Market Data Department, January 3, 1958.

Comparative statement of tax collections for the fiscal years ended June 30, 1957 and 1958

Source of revenue	Fiscal year 1956-57	Fiscal year 1957-58	Increase or decrease ¹	Per-centage	Source of revenue	Fiscal year 1956-57	Fiscal year 1957-58	Increase or decrease ¹	Per-centage
Bank—Financial corporations.....	\$217,761	\$281,610	\$63,849	29.32	Net income—corporations.....	\$4,163,393	\$4,616,256	\$453,863	\$10.90
Compensation and dividends.....	13,217,451	9,283,208	¹ 3,984,243	¹ 30.14	Net income—individual.....	2,113,435	2,459,712	346,277	16.33
Declarations of estimated taxes—cor- poration.....		143	(³)	-----	Public utilities.....	3,003,093	3,382,493	379,400	12.63
Declarations of estimated taxes—indi- vidual.....		1,701,608	(³)	-----	Public welfare ²	891	321	¹ 570	(²)
Employment security contributions.....	2,835,967	3,104,358	268,391	9.46	Real property appeal deposits.....		87	(³)	-----
Fuel.....	11,873,574	12,317,869	444,295	3.74	Tobacco and licenses.....	1,249,024	1,698,496	449,472	35.99
Fuel retail permits.....		5,030	(³)	-----	Withholding on wages.....		6,090,047	(³)	-----
General excise, consumption and com- pensating.....	38,138,517	48,621,304	10,482,787	27.49	Total.....	80,641,545	97,984,180	17,342,635	21.51
Inheritance and estate.....	426,605	338,604	¹ 88,001	¹ 20.63	Personal property ⁴	13	67	54	(³)
Insurance premiums.....	1,229,012	1,382,782	153,770	12.51	Real property ⁵	6,604,069	22,505,739	15,901,670	(⁴)
Liquor and permits.....	2,173,822	2,750,252	576,430	26.52	Grand total.....	87,245,627	120,489,986	33,244,359	(⁴)

¹ Decreases.² Repealed July 1, 1943.³ Not applicable.⁴ Repealed Jan. 1, 1948.⁵ Data not comparable as fiscal year 1957-58 includes double real property tax, while fiscal year 1956-57 has no current collections due in both instances to delays in setting tax rates in legislative years.

Comparative statement showing allocation of fiscal year tax collections

	Fiscal year 1956-57	Fiscal year 1957-58	Increase or decrease	Per-centage		Fiscal year 1956-57	Fiscal year 1957-58	Increase or decrease	Per-centage
Territorial funds:					County revenues:				
Territorial general.....	\$52,934,218	\$68,693,179	\$15,758,961	29.77	General excise.....	\$12,997,786	\$13,868,774	\$870,988	6.70
Territorial highway.....	6,583,622	6,589,851	6,229	.09	Property.....	6,604,082	22,505,806	15,901,724	(²)
Territorial airport.....	1,236,373	1,376,451	90,078	7.00	Fuel.....	3,939,706	4,290,115	350,409	8.89
Small boat harbor maintenance.....	63,873	61,452	¹ 2,421	¹ 3.79	Subtotal—County.....	23,541,574	40,664,695	17,123,121	(²)
Employment security contribu- tions.....	2,835,967	3,104,358	268,391	9.46	Grand total.....	87,245,627	120,489,986	33,244,359	(²)
Subtotal—Territory.....	63,704,053	79,825,291	16,121,238	25.31					

¹ Decreases.² Data not comparable as fiscal year 1957-58 includes double real property tax,

while fiscal year 1956-57 has no current collections due in both instances to delays in setting tax rates in legislative years.

Trend in economic conditions as reflected by business volume, wages, dividends, gasoline consumption, etc., on a comparative basis for the 2 fiscal years are summarized from information obtained from current year's tax returns

Taxable base	Fiscal year 1956-57	Fiscal year 1957-58	Increase or decrease ^{1,2}	Per-centage	Taxable base	Fiscal year 1956-57	Fiscal year 1957-58	Increase or decrease ^{1,2}	Per-centage
Gross business volume.....	\$1,656,980,356	\$1,751,964,045	\$94,983,689	5.73	Wholesale value of tobacco sales.....	\$8,326,891	\$8,769,896	\$443,005	5.32
Retail sales.....	623,205,275	651,045,853	27,840,578	4.47	Wholesale value of liquor sales.....	18,054,716	17,858,027	196,689	1.09
Wholesale sales.....	271,065,785	279,561,345	8,495,560	3.13	Salaries and wages ²	600,741,218	412,080,077	188,661,141	31.40
Sugar sales.....	113,394,923	96,680,488	¹ 16,714,435	¹ 14.74	Dividends ²	42,581,887	34,722,523	7,859,364	18.46
Canning (pineapple sales, etc.).....	96,546,681	99,121,036	2,574,355	2.67	Withholding on wages.....		230,223,539	(³)	-----
Manufacturing.....	103,577,508	106,324,191	2,746,683	2.65	Gasoline consumption.....gallons..	116,926,239	117,662,736	736,497	.63
Producing.....	42,404,841	48,971,289	6,566,448	15.49	Diesel oil consumption.....do.....	23,575,538	21,477,795	¹ 2,097,743	¹ 8.90
Contracting.....	113,373,993	139,094,833	25,720,840	22.69	Aviation gasoline consumption.....gallons..	36,753,517	39,327,176	2,573,659	7.00
New business licenses issued.....	8,265	7,736	¹ 529	¹ 6.40	Butane consumption.....do.....	161,130	206,795	45,665	28.34
Licenses canceled.....	7,472	5,822	¹ 1,650	¹ 22.08	Small boat harbor maintenance.....gallons..	3,843,160	3,684,210	¹ 158,950	¹ 4.14
Total number of licenses issued.....	45,517	44,613	¹ 904	¹ 1.99					

¹ Decreases.² Repealed Jan. 1, 1958.³ Not applicable.

Comparative real property tax values and other related data covering the entire Territory

Items	As of Jan. 1, 1957	Percent to total	As of Jan. 1, 1958	Percent to total	Items	As of Jan. 1, 1957	Percent to total	As of Jan. 1, 1958	Percent to total
Assessor's gross valuation:					Exemptions—Continued				
Land.....	\$966,657,339	50.00	\$1,021,591,382	49.75	All others.....	\$80,445,345	4.16	\$84,520,451	4.12
Buildings.....	966,607,881	50.00	1,031,818,707	50.25	Total exemptions.....	898,911,221	46.50	967,454,627	47.12
Total.....	1,933,325,220	100.00	2,053,410,089	100.00	Assessor's net taxable values.....	1,034,413,999	53.50	1,085,955,462	52.88
Exemptions:					Valuations on appeal.....	10,109,014	-----	9,380,720	-----
United States.....	421,810,647	21.82	453,879,623	22.10	Taxpayers net valuation.....	1,024,304,985	-----	1,076,574,742	-----
Territory of Hawaii.....	147,239,155	7.62	166,142,921	8.09	50 percent of valuation on appeal.....	5,054,508	-----	4,690,360	-----
Counties.....	68,495,047	3.54	75,331,271	3.67	Net valuation for tax rate purposes.....	1,029,359,493	53.24	1,081,265,102	52.66
Homes (fee and leaseholds):					Amount raised by taxation.....	15,649,187	-----	16,637,902	-----
(1957) 50,774.....	150,598,578	7.79	156,380,468	7.62	Average rate per \$1,000 value.....	15.20	-----	15.39	-----
(1958) 52,714.....									
Public utilities.....	30,322,089	1.57	31,199,893	1.52					

Summary analysis of the finances of the Territory of Hawaii for the fiscal year ended June 30, 1958

	General fund	Special funds	Bond funds	Total
The Territory received from:				
Taxes.....	\$68,692,073.77	\$11,271,419.06		\$79,963,492.83
Nontaxes.....	14,065,273.69	28,471,911.28	\$27,800,000.00	70,337,184.97
Total receipts.....	82,757,347.46	39,743,330.34	27,800,000.00	150,300,677.80
Available cash at beginning of year.....	(3,923,393.93)	30,488,715.32	7,296,311.99	33,861,658.38
Total resources.....	78,833,978.53	70,232,045.66	35,096,311.99	184,162,336.18
The Territory paid out.....	77,626,678.20	38,497,314.20	26,964,952.84	143,088,945.24
Available cash at close of year.....	1,207,300.33	31,734,731.46	8,131,359.15	41,073,390.94
The cost of operating the Territorial Government for the fiscal year ended June 30, 1958, is detailed below by major functions and activities:				
Schools.....	29,537,176.96	7,460,226.32	437,536.32	37,434,939.60
Highways.....	17,523.41	9,930,613.26	9,931,911.08	19,880,047.75
Public safety.....	3,440,082.88	5,231,630.97	123,609.08	8,800,322.93
Hospitals.....	8,073,087.42	663,577.02	224,842.84	8,961,507.28
Public welfare.....	9,047,968.93	96,152.44	62,465.53	9,206,586.90
Utilities or other enterprises.....	88.54	4,057,837.14	3,936,680.22	7,994,605.90
General government.....	5,686,257.09	188,137.97	134,809.11	6,009,204.17
Health.....	2,570,531.12	625,517.64	41,397.50	3,237,446.26
Development and conservation of natural resources.....	2,769,172.08	1,078,951.51	775,482.42	4,623,606.01
Libraries.....	884,551.44	72,516.61	771.76	957,839.81
Miscellaneous.....	7,901,320.13	2,925,206.37	5,654,559.54	16,481,086.04
Loans to counties from bond funds.....			3,635,887.44	3,635,887.44
Purchase of investments.....	2,000,000.00	2,000,000.00		4,000,000.00
Bond redemptions and interest expense.....	5,698,918.20			5,698,918.20
Unemployment compensation and benefits payments.....		4,166,946.95		4,166,946.95
Total.....	77,626,678.20	38,497,314.20	26,964,952.84	143,088,945.24

EDUCATION—DEPARTMENT OF PUBLIC INSTRUCTION

The increasing school population with its concomitant factors has continued to be one of the most important issues with which the public school system of Hawaii has had to contend. It has been made more acute by the fact that practically the entire increase has been on the island of Oahu, and more es-

pecially in rural Oahu. Most of the military installations are in rural Oahu, but many civilian housing projects are also rapidly being constructed in that area.

The geographical location of the increases are shown in the following table representing the five administrative districts of the Department of Public Instruction for Hawaii's territory:

	Honolulu	Rural Oahu	Hawaii	MauI	Kauai
Enrollment Jan. 1, 1957.....	50,240	38,723	17,491	11,511	6,892
Enrollment Jan. 1, 1958.....	52,153	42,471	17,341	11,294	6,899
Percentage increase.....	3.8	9.7	-0.9	-1.9	0.1

Mr. KUCHEL. Mr. President, this concludes my remarks, at least for the time being.

I hope that before this legislative day is concluded the Senate once again will have approved the admission of Hawaii, with its more than 600,000 patriotic, vigorous, resourceful American citizens, to the Union. This year, I hope and believe, the House of Representatives will do likewise. At this precise moment the House bill for statehood for Hawaii is being debated over on the other side of the Hill.

Welcome to Hawaii.

Mr. LONG. Mr. President, during my service in the U.S. Senate I have spoken to many people in my own State and throughout the country concerning statehood for Hawaii. As a member of the Senate Interior and Insular Affairs Committee, I made a trip to the Hawaiian Islands in 1953 for the purpose of ascertaining the feelings of the Hawaiians on the question of statehood and to gather information on many questions that had troubled me and others to whom I had spoken.

As a result of my study of this situation, I became convinced that to deny to the people of Hawaii the right to be a sovereign State in these United States of America was a grave injustice.

In previous Congresses, as in this Congress, I have sponsored legislation to bring Hawaii into full partnership in our Union of States. I am convinced that we should take this action for many reasons.

Over 100 years ago, the people of Hawaii asked to become a part of the United States. President Franklin Pierce supported negotiations to that end. In 1894, Hawaii became a Republic and 3 years later the new Republic offered to surrender its sovereignty for eventual statehood. The following year the United States annexed Hawaii by joint resolution of Congress under the same procedure by which Texas became part of the Union.

To deny Hawaii the right to become a State now would be to oppose the very purpose for which she gave up her sovereignty.

Since 1898, the people of Hawaii have repeatedly petitioned for the right to become a State. They are subject to Federal laws and pay Federal taxes. They do not want Commonwealth status, which is a step leading toward sovereignty. The people of Hawaii expressly gave up their sovereignty to become a part of the Union.

The right of the people of Hawaii to a State government and to representa-

tion in Congress should not be governed by geographical limits, and particularly so in this age of rapid communication. I have no fears for the United States on this account.

I am in favor of Hawaiian statehood, and I do not agree with those who do not trust the democratic processes to operate successfully in Hawaii.

The people of Hawaii have much higher educational standards than the average within the United States. They have a very low rate of illiteracy. Their per capita tax payments to the Federal Government are far greater than the national average.

I believe a serious error would be made to conclude that the problem of maintaining peace and good will between members of the Caucasian and Negro races applies to the situation in Hawaii. There the citizens of Japanese ancestry slightly outnumber the Caucasians. Those of Hawaiian, Philippine, and Chinese ancestry are also present in large numbers. Less than 1 percent of the population of Hawaii are of Negro ancestry.

With regard to the matter of Communist influence, according to my information, the actual number of Communists there is small. The latest figures from the Subversive Activities Commission for the Territory of Hawaii estimate that there are only fifteen hard shelled Communists left in the Islands. Hawaii is to be commended for establishing its own Subversive Activities Commission—something which very few States have done. In every State in the Union, it is probable that there is a handful of Communists. However, this does not mean that the vast majority of people in every State are not loyal Americans.

At this time, I would like to pay special tribute to the present Delegate from Hawaii, JACK BURNS. During World War II, JACK BURNS was responsible for the investigation of subversives and those whose interests were inimical to the United States. Many will recall that he was publicly cited for his work in persuading defection from the Communist Party.

It is gratifying to know that the present Delegate from Hawaii is a man who did much to defeat and destroy the influence of those who were unsympathetic to American ideals.

In the Second World War the Hawaiians proved their loyalty and dedication to the principles on which our country is founded. The degree of patriotism evidenced by Japanese of American ancestry during World War II is revealed by the gallant record of the 442d Regimental Combat Team, which was not excelled by any fighting unit serving under the Stars and Stripes. This unit sustained more casualties and received more decorations than any units its size fighting for America in the Second World War. Not a single man surrendered to the enemy and only one was captured after he had been totally disabled. On one occasion this unit volunteered to rescue a Texas battalion that had been cut off by the Germans. Although they succeeded in their mission,

they suffered more casualties in the operation than there were Texans left to be rescued.

The history of the expansion of our union through granting statehood to new Territories is very enlightening in connection with the arguments being used to oppose statehood for Hawaii. 1953 was the 150th anniversary of the Louisiana Purchase. In studying my history at the time of this anniversary, I was impressed with the fact that today's opponents of statehood advance substantially the same arguments used by their predecessors in opposing all additions to the Original Thirteen States.

The Louisiana Purchase doubled the size of our new Nation. It was the biggest real estate bargain of all time since the Federal Government paid an average of only 3 cents per-acre.

However, Representative Griswold, of Connecticut, on October 25, 1893, in opposing the acquisition of this new Territory, argued as follows:

It is not consistent with the spirit of a republican government that its territory should be exceedingly large; for as you extend your limits, you increase the difficulties arising from a want of that similarity of customs, habits, and manners so essential for its support.

Senator Plumer of New Hampshire, on this same day, predicted:

Admit this western world into the Union and you destroy at once the weight and importance of the Eastern States and compel them to establish a separate independent empire.

Senator James White, of Delaware, spoke out against Senate ratification of the Treaty of Acquisition in the following words:

It may be productive of innumerable evils and especially of one that I fear to ever look upon. Thus our citizens will be removed to the immense distances of two or three thousand miles from the Capital of the Union, where they will scarcely ever feel the rays of the Central Government—their affections will become alienated; they will gradually begin to view us as strangers; they will form other commercial connections and our interests will become distinct. Even supposing that this extent of territory was a desirable acquisition, \$15 million was a most enormous sum to give.

We have already territory enough, and when I contemplate the evils that may arise to these States from this intended incorporation of Louisiana into the Union, I would rather see it given to France, to Spain, or to any other nation of the earth upon the mere condition that no citizen of the United States should ever settle within its limits. (The Louisiana Purchase, GPO, 1900, pp. 37-38.)

The passage of time has shown how ridiculous these arguments are that "affections will become alienated" and that "they will gradually begin to view us as strangers." It is hard for us to believe in this day and time that our Congressmen and Senators in the early 19th century could have been so shortsighted.

In 1811, when the area which I have the great honor to represent in this body, asked that interim territorial government be exchanged for statehood, Representative Josiah Quincy, of Massachusetts, felt that it would be better to

destroy the Union rather than admit "these westerners." I quote his remarks:

The bonds of the Union must be dissolved rather than admit these westerners. As it will be the right of all, so will it be the duty of some to prepare definitely for a separation, amicably if they can, violently if they must." (Yankee From Olympus, Bowen: Little, Brown & Co., p. 27.)

Eight years later, when Alabama petitioned for statehood, he became even more abusive in his opposition to taking in new States:

You have no authority to throw the rights and property of the people into the hodgepodge with the wildmen of the Missouri, nor with the mixed, though more responsible race of Anglo-Hispano-Gallo-Americans who bask on the sands in the mouth of the Mississippi. Do you suppose the people of the Northern and Atlantic States will, or ought to look with patience and see Representatives and Senators * * * pouring themselves upon this and the other floor, managing the concern of a seaboard 1,500 miles, at least, from their residence? (Ibid., p. 35.)

Every past effort to peaceably bring in new States has met with similar disapproval. A few illustrations of this point will show that objections have not been restricted to any specific area. Western, eastern, northern, and southern Territories have had to contend with the same arguments when they strove to claim their full birthright as citizens of this great country.

The admission of California to the Union was filibustered in the Senate. An Ohio Senator predicted:

With all its extent, California will never sustain one-half the population of Ohio, not one-half. The population of California will be very small indeed. (H. Rept. No. 109, 83d Cong., p. 70.)

Incidentally, it is estimated that California's population is now almost 14 million while Ohio's is slightly more than 9 million.

Oregon also faced opposition in the Senate in January 1843, when it petitioned for statehood. Senator McDuffie said:

What is the nature of this country? Why, as I understand it, 700 miles this side of the Rocky Mountains is uninhabitable; a region where rain seldom falls; a barren, sandy soil; mountains totally impassable. Have you made anything like an estimate of the cost of a railroad from here to the Columbia (River)? Why, the wealth of the Indies would be insufficient. Of what use will this be for agricultural purposes? Why, I would not, for that purpose, give a pinch of snuff for the whole territory. I thank God for His mercy in placing the Rocky Mountains there.

When Mississippi asked to be admitted, the House Committee Report submitted December 23, 1816, stated:

Your committee beg leave to remark that they cannot believe a State of such unprecedented magnitude as the one contemplated by the memorialists can be desirable to any section of the United States. Between the Tennessee and the Mississippi settlement there is not, and probably never will be, any commercial interest whatever.

In 1845, Florida's admission was attacked in Congress because a large part of the population consisted of Indians and Negroes, and because of the Spanish ancestry of many of her white citizens.

When Arizona sought admission early in this century, Senator Henry E. Burnham of New Hampshire, a member of the Senate Committee on Territories, spoke for 3 days against statehood, criticizing the wide usage of the Spanish language in these States and holding that New Mexico and Arizona did not have sufficient population and natural resources to become prosperous members of the Union.

It is well known that the purchase of Alaska brought ridicule and abuse upon the head of Secretary Seward. The United States paid only \$7,200,000 for the territory which has become our newest State and whose two distinguished Senators we were so happy to welcome to this body at the opening of the session. And yet, Representative W. F. Butler, of Massachusetts, on July 7, 1868, spoke out against ratification of the treaty of cession as follows:

If we are to pay for Russia's friendship I desire to give her the \$7,200,000 and let her keep Alaska. I have no doubt that any time within the last 20 years we could have had Alaska for the asking. No man, except one insane enough to buy the earthquakes in St. Thomas and the ice fields in Greenland, could be found to agree to any other terms for its acquisition by the country.

We would do well to pause and be thankful for the wisdom of our leaders who secured Alaska for our great country. If Alaska at present were a part of the U.S.S.R., our situation today in world politics would be far less tenable than it is.

It would be well for those who oppose the admission of Hawaii to recall that, without a single exception in our history, the addition of each new State has done more than merely enlarge our Nation; in each instance our country has been morally enriched and physically strengthened in the process.

Our country has become the great Nation that it is today largely because of statesmen in past Congresses whose sound judgment, foresight, and moral courage prevailed in the face of opposition to new States. Theirs was the vision to perceive that each new State brought into our Union resources and qualities which all of us today recognize to be indispensable ingredients of our national character. No one would care to dispute the fact that the United States would be much the poorer had Alabama, California, Louisiana, Oregon, or Texas been denied statehood. If these early critics of bringing new States into the Union had prevailed, the United States would now be composed of 13 States and a vast territory administered by even more Washington bureaucrats. And let us not forget that in every case each one of the 36 new States of our Union has faced the same kind of vigorous opposition that faces Hawaii today.

It is indeed fortunate that at these critical times in our history, our Congresses were peopled with men like Senator Breckenridge of Kentucky, whose reply to Louisiana's detractors in 1803 is as applicable today as it was 150 years ago:

Is the goddess of liberty restrained by water courses? Is she governed by geographical limits? Is her dominion on this con-

tinient confined to the east side of the Mississippi? So far from believing in the doctrine that a republic ought to be confined within narrow limits, I believe, on the contrary, that the more extensive its dominion, the more safe and more durable it will be. In proportion to the number of hands you entrust the precious blessings of a free government to, in the same proportion do you multiply the chances for their preservation. I entertain, therefore, no fears for the Union on account of its extent.

Americans will always venerate the Jeffersons, the Livingstons, the Monroes. On the other hand, as the historian, Talant, says:

As to those who opposed, most of them faded into obscurity.

Is there reason for us to feel that future historians would be kinder to us if we failed to bring Hawaii into our Union?

A recent Gallup poll has shown that our citizens are in favor of Hawaiian statehood by more than 8 to 1. There is certainly no doubt that the vast majority of the citizens of the Hawaiian Islands wish to be full partners in our Union of States. It is my feeling that it would be a grave injustice to delay any longer in granting statehood to these loyal Americans.

Mr. CHURCH. Mr. President, we are fast approaching the hour of decision on whether Hawaii is to become our 50th State.

If our answer is "yes," then we will have welcomed into the Union, as an integral part of our country, the last of our incorporated Territories. Statehood will confer upon the people of the islands, long since citizens of the United States, fundamental rights of self-government equal to our own. They will then elect their Governor, as we do ours; they will then be entitled to two U.S. Senators and a voting Representative in the Congress; and they will participate with us, every fourth year, in the election of the President.

But if our answer should be "no," let no one be deceived into believing that Hawaii will remain indefinitely an American Territory. To be neither in nor out, but to stay a colony, is no more acceptable to our fellow Americans in Hawaii, than it was to our own forefathers. They were subjects of the English King; they bore arms in his defense, and paid the taxes he levied upon them. Again and again, they petitioned him, through his appointed Governors, for redress of their grievances, but he refused to grant them more than limited rights of self-government. So, their call to reason, "No taxation without representation," became, at last, a call to arms.

Yet, despite this national birthright, we are today denying our fellow citizens in Hawaii many of the same prerogatives refused our forefathers by George III. In 1957, the Hawaiians paid over \$150 million in Federal taxes, a larger total than several of the existing States, but Hawaii had no representation in Congress to vote either on how much tax should be collected, or upon how the money should be spent. In time of war, Hawaiians shoulder arms with the rest of us, yet they cannot vote for the President who shapes their foreign policy, or

for Representatives in Congress who together hold the purse strings over their defense.

To remedy these inequities, the people of Hawaii want statehood. They are tired of standing, hat in hand, at the door of our Union. But what we must understand is this: If we refuse to let them further in, they will, in due course, demand to be let further out.

That we actually face a choice between these alternatives, my recent visit in Hawaii has convinced me. There, I was privileged, as one of five Members of Congress from the Interior Committees of both Houses, to conduct a joint investigation of the statehood question. The House committee was represented by B. F. SISK, Democrat of California; E. Y. BERRY, Republican of South Dakota; LEO W. O'BRIEN, Democrat of New York; while my colleague, the Senator from Colorado, Mr. JOHN CARROLL, and I, represented this committee of the Senate. We talked with hundreds of Hawaiians from all walks of life. We listened to every argument, pro and con. The consensus of this opinion, together with the most current information we could gather about social, economic, and political conditions in Hawaii, left me strongly persuaded the islands are ready for statehood, and we had best admit them now.

There is no doubt but what the vast majority of Hawaiians favor statehood. Even before Pearl Harbor, a plebiscite showed the population endorsing statehood by a margin of 2 to 1. Since then, support for statehood has steadily grown stronger. In 1950, a proposed Hawaii State constitution was approved by the people of the Territory by a vote of more than 3 to 1. Today, I would judge that the Hawaiians want statehood fully as much as did the Alaskans, who, a short 6 months ago, proved their sentiments when five out of six voted to ratify the bill admitting Alaska as the 49th State.

The proponents of Hawaiian statehood believe their case just as deserving as was that of Alaska. Indeed, the islands' economy is far more developed. Sugar and pineapple are produced in abundance by the best paid field workers in the world. The export of Kona coffee is increasing. On the large island of Hawaii itself, the 300,000 acre Parker Ranch, next to the world's largest ranch for Herefords, is a sight for a westerner who believes that the cattle country is limited to the highlands of the mountainous West; while to every island tourists come in burgeoning numbers, beckoned by the gentle tradewinds, in quest of the dazzling beaches and inviting waters. Hawaii, for all its tropical beauty, is bustling and prosperous. No one can charge it with being a "poor relation."

In other ways, too, Hawaii meets all the traditional tests for statehood. Its population of more than 550,000 exceeds that of 5 present States, and closely approaches that of my own State of Idaho. Its islands comprise an area of 6,423 square miles, making it larger than Delaware, Rhode Island, or Connecticut. Those who remonstrate that Hawaii is too remote, fail to reckon with the age

we live in. From Boise city, the capital of my State, Honolulu can be as quickly reached by air as Washington, D.C.

Finally, the loyalty of the people of Hawaii has been proven in the hardest of tests. Americans of Japanese ancestry constitute more than a third of the population of Hawaii. Yet, when the Japanese torpedo bomber devastated our Pacific Fleet at Pearl Harbor, and the threat of imminent invasion haunted the islands for months following, not a single act of sabotage was ever traced to a resident Japanese American. Rather, the young Japanese volunteered by the thousands for army service. In the Italian campaign, their casualties were so heavy that their famous outfit was dubbed "the Purple Heart Battalion," winning seven separate Presidential Citations for valor.

It is true that Hawaii is the melting pot of the Pacific. The people are a polyglot mixture of native Hawaiian, Caucasian, Japanese, Filipinos, and Chinese, and the crosses between. But it is also true that Hawaiian life and culture, though it clings naturally to many happy phrases, songs, and customs of its colorful past, is nevertheless essentially American. The cities, the stores, the homes, streets, and schools, all bear the unmistakable stamp of the United States.

We met with public officials and private citizens alike, with teachers and students, with judges and housewives. We talked with businessmen and labor leaders. I had a morning's conference with the presidents of the Big Five, the dominant commercial interests that were once opposed to statehood, but now favor it.

When we left the islands, I came away convinced that the interests of our country urgently require that statehood be no longer denied Hawaii. Already a Commonwealth Party has been activated there. I talked with several of its leaders, who would like to see Hawaii set loose from the United States, absolved of all Federal taxes, and granted full rights of self-government, while the people retained for themselves American citizenship and the continued protection of the American flag. Patterned after the British system, the commonwealth idea is alien to our American tradition of building one Nation, rather than a loose-knit empire.

Today, the Commonwealth Party in Hawaii is small. The people of the islands are not seeking such a free ride. But if statehood is refused Hawaii, the commonwealth idea will grow rapidly. I shall not forget the parting word of one prominent commonwealth proponent. "Senator," he said to me, "right now, the people of these islands want statehood. If you refuse it, they will turn to our solution, and the time will come when you will have to recognize the independent Commonwealth of Hawaii."

To us on the mainland, facing westward toward an Asia awakening from its ancient slumbers, Hawaii is much too vital not to be made an inseparable part of the United States.

Mr. President, we are acting today to fulfill a pledge we made less than a year ago—the pledge to take up a statehood

bill for the Territory of Hawaii at an early date in the 86th Congress. I am very pleased that before the Ides of March are quite upon us, we have honored this pledge.

The bill before the Senate, Mr. President, is not pedestrian legislation. It has historic and unique significance. In these days of continuing world crisis, it cuts cross-grain to the negative course that seems to have befallen us. This bill embraces no design to counteract or to contain. Its whole object is to expand and to fulfill in our best tradition as a free nation.

If this bill is enacted, the year of our Lord 1959 will be remembered by our children, and our grandchildren after them, as the year the great American Union was completed. The admission of Hawaii, the last of our incorporated Territories, as our 50th State, will lay in place the finishing stone of the mighty edifice of our Republic, the building of which began 170 years ago.

And in the history of the Western World, Mr. President, the year of our Lord 1959 will be remembered and remarked upon as the year the United States put an end to the last major vestige of its adventure in colonialism. As Hawaii achieves statehood, becoming a full and equal partner in our Union, we signal to the world that the principles of freedom and self-government still burn brightly in our land. If, in the days of our infancy, we could ignite a flame of freedom so bright as to shine like a beacon around the world, then now, in the days of our greatness, we must not do less.

Mr. CANNON. Mr. President, I believe it should be said that Hawaiian statehood would bolster American democracy in the Pacific, an area where American influence has suffered serious setbacks in recent years. The Communists have traded in propaganda concerning our differences and our conflicts. Not only would Hawaiian statehood bolster our military defenses and serve notice of our intention to remain in the Pacific, it would provide a State where the peoples of the Pacific and of Asia could study American traditions, where they could have visual proof that the east and west can meet, can live, and work together in peace and war, under the flag of freedom.

As the distinguished senior Senator from Nevada has recalled, Senator Newlands of Nevada, worked hard for Hawaiian annexation when he was a Member of this body 61 years ago. Nevada, because of its service in the Civil War, became known as the Battle Born State. What better, modern example can we have today of Hawaii's loyalty than the courage and sacrifice of its citizens during the critical days of World War II?

Today, Hawaii, with its rich tradition in the service of democracy, holds perhaps an even more strategic role in the defense of America. The islands are rendering an invaluable aid to our preparedness, in furnishing strategic tracking stations for our space satellite program. Taking part in our satellite program are such vital Hawaiian installations as the Air Force Tracking

Station at South Point on the southerly tip of the big island, the Smithsonian Institution Observatory Station on Maui, the Missile Tracking Station on Oahu and at our Naval Air Station in the islands, in addition to our permanent Naval, Air Force, and Army bases.

Mr. President, Hawaii is now U.S. soil, it will, regardless of what we do here today, remain U.S. soil, and surely must one day—now, I hope—become a State. I believe this particular time, when expressions of our faith and hope for the future are so desperately needed, would be the most appropriate time for statehood. The Hawaiian people have demonstrated their citizenship and their Americanism. Let us, then, face up to our responsibility.

Mr. BIBLE. Mr. President, I am proud to associate myself with legislation that will add the 50th star to the U.S. flag with the admission of Hawaii as a sovereign State.

Last year we fulfilled our obligation to Alaska and we can do no less this year for Hawaii. In fact, Mr. President, the arguments raised for and against the admission of Alaska as a State are equally relevant to the case for Hawaii.

The interest of my native State in Hawaii's destiny goes back many years. One of my illustrious predecessors, the late Senator Francis G. Newlands, introduced a resolution in Congress in 1898 which provided for the annexation to the United States of the Hawaiian Islands. At that time Mr. Newlands was a representative in Congress, and he was largely instrumental in gaining Territorial independence for the Republic of Hawaii.

To bolster the validity of the old saying that there is nothing new under the sun, I should like to point out that the argument of noncontiguity was raised by those who opposed the annexation of Hawaii more than 60 years ago. Senator Newlands' answer to this argument was contained in the following words:

I shall assume that if the United States can acquire the island of Key West, off the coast of Florida, it can acquire the Hawaiian Islands, off the coast of California.

Another argument against Hawaii's becoming a State has been raised on the grounds of racial characteristics. I believe this argument can be leveled by the simple declaration, Mr. President, that the citizens of Hawaii are Americans. In this connection I should again like to quote Senator Newlands, who asserted in 1898—a little more than 60 years ago:

Hawaii has already, by the peaceful processes of evolution, assimilated itself with us. For years it has been practically American. American ideas, American liberty, American civilization prevail there.

If that situation obtained more than six decades ago, it is all the more pronounced today.

Senator Newlands prophetically pointed to Hawaii's strategic position as a defensive bastion in the Pacific. He declared:

With these islands in our possession, no hostile attacking force could reach our Pacific coast from the Asiatic coast.

In 1910, on the floor of the U.S. Senate, Senator Newlands called for larger appropriations for the fortification of

Hawaii. Again he demonstrated rare foresight in asserting:

We are often told that the Pacific Ocean will be the theater sometime of a great naval war, and one of the chief arguments for the increase of our Navy is that in the future we will be menaced on the Pacific; that Japan's growing power there must sometime be met.

The ravage of Pearl Harbor and the terrible war that ensued gave grim testimony to the correctness of Senator Newlands' prophecies.

Another criticism against Hawaiian statehood is that the new State would have too much power because of the composition of its congressional delegation consisting of two Senators and one Representative. This old ghost is perennially paraded, but it evaporates in the face of the wisdom evidenced by our Founding Fathers when they decreed there should be two Senators from each State, regardless of population, as a proper measure of equality.

As the very able assistant majority leader the junior Senator from Montana [Mr. MANSFIELD] said on the floor this week in a colloquy with the distinguished senior Senator from Illinois [Mr. DOUGLAS] the designation of two Senators from each State "is the way in which the small States receive a certain degree of protection, and it is the way which equalizes the preponderance based upon population and which the States with large population have in the House."

Opponents of Hawaiian statehood have asserted that Communist influences in the islands are both widespread and threatening. Even if this allegation were documented, which it is not, I believe that Hawaii as a State would be in a far better position to cope with such a problem than Hawaii as a Territory. It is both significant and heartening that our Committee on Interior and Insular Affairs, under the able guidance of the distinguished senior Senator from Montana [Mr. MURRAY], gave a unanimous stamp of approval to Hawaiian statehood.

Mr. President, we have a moral obligation that must be fulfilled if Hawaii is to be elevated from its second-class status of a Territory. The affirmative action we take on the pending bill will be heralded throughout the world as proof positive that this great democracy of ours will not tolerate colonialism in any form. In this respect it is important to point out that the islands are America's showcase for thousands of travelers from the Far East. En route to the United States these Asian visitors get their first taste of American democracy when they land in Hawaii.

It follows, Mr. President, that by granting full sovereignty to Hawaii we will be dramatically demonstrating true and undiluted democracy.

In conclusion, I turn again to the remarks made in Congress by my predecessor, Senator Newlands, who declared:

We wish that this country should live nobly, that it should pursue the high purpose with which it started out, the purpose of establishing within our domain, as far as possible, a homogeneous independent self-respecting people.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. CARROLL. I wish to commend the distinguished Senator from Nevada for his able presentation. I had not previously known that a distinguished former Senator from the State of Nevada spoke with wisdom and foresight to urge the admission of Hawaii as a State, as was so ably and clearly outlined by the present distinguished senior Senator from Nevada.

When we examine appendix B and appendix C of the report on the bill, we find, according to appendix B, that since 1935 there have been 22 congressional investigations of the Hawaiian statehood question; and in appendix C, it is noted that there have been 34 separate reports and hearings by Congress. So it can clearly be seen, as the able Senator from Nevada has pointed out, that this is one subject which has been worked upon for 60 years.

As the Senator from Nevada has said, the time has come to take action, in line with the wisdom and foresight of the Senator's distinguished predecessor of more than 60 years ago. Although the proposal was not acted on then, we must not fail, today or tomorrow, to make Hawaii the 50th State.

Mr. BIBLE. I appreciate the statement made by the distinguished junior Senator from Colorado. I share his hope. I think our belief is well founded that ere many more hours we shall have seen complete congressional action, possibly, on both sides of the Capitol.

Mr. ALLOTT. Mr. President, again I rise on the floor of the Senate, as I have many times before, to speak in support of Hawaiian statehood.

Mr. President, the Members of the 86th Congress have the distinct opportunity and privilege to be recorded in history as voting for the admission of our 50th State. The people of Hawaii and the people of the Nation are anxiously awaiting our action. We have made them wait far too long.

The history of the Hawaiian statehood movement is a record of the undying efforts—for over 100 years—of the people of Hawaii to become a full and equal part of our Union.

In 1851, the King of Hawaii executed a deed of cession to the United States. Three years later, a treaty of annexation was drafted. In 1893, a similar treaty was presented to the United States, and was accepted by President Harrison, but was not acted upon by the Congress.

For nearly 50 years, Hawaii tried to become an integral part of the United States, and finally met with success in 1898, when the islands were officially annexed.

The ultimate intent of the people of Hawaii has been to exchange their independent sovereignty for statehood. Our predecessors in the 55th Congress spent many days deliberating on the annexation of the islands. The underlying argument stressed by the proponents was Hawaii's strategic importance to this Nation and her natural future membership in our Union of States. Mr. President, as long ago as 1854, the Hawaiian

people petitioned their monarch to seek annexation by the United States.

In 1900, the incorporation of Hawaii as an organized Territory further demonstrated the manifest destiny of the islands to become a State.

The case for Hawaiian statehood has been argued longer and more exhaustively than has any other case for statehood in our history. Beginning in 1903, every Hawaiian territorial legislature has petitioned Congress for admission into the Union. Almost half a century has elapsed since the first Hawaiian statehood bill was introduced in 1919. Such bills have been introduced in almost every intervening Congress. The ramifications of Hawaiian statehood have been investigated by almost every Congress in the past two decades. A total of 21 congressional investigations of this subject have been held since 1935. Thousands and thousands of pages of testimony in hearings and reports have been compiled. The record now is complete and voluminous and very little more can be said for the record.

Hawaii is ready for statehood in every conceivable respect. American principles, traditions, and institutions are thoroughly entrenched in the Territory. The vast majority of the Hawaiian people have known only the American way of life. Hawaiians, with diverse racial and cultural backgrounds have assimilated harmoniously, and live as Americans under a republican form of government.

They live under the same laws and tax structure that we live under. Their entire body of law and administrative organization is identical in principle to that in parts of the United States. They are subject to the same Federal taxes that are imposed on the inhabitants of our 49 States. In fact, the Federal taxes that are paid in Hawaii in one year exceed the total of those paid in as many as 14 of our present States.

In 1935—24 years ago—the first congressional committee to visit Hawaii found "the Territory of Hawaii to be a modern unit of the American commonwealth with a political, social and economic structure of the highest type."

In 1937, a joint committee of the House and Senate visited Hawaii, and reported:

Hawaii has fulfilled every requirement for statehood heretofore exacted of Territories. The Territory has consistently paid into the U.S. Treasury a considerably larger amount than the Federal Government has spent upon the Territory * * * (in 1937) Hawaii paid more than did five States combined.

Over the years, thousands of visitors to the islands have, on their return, reported, either officially or unofficially, that Hawaii's economic development has been so rapid that it is inconceivable to expect her people to be content indefinitely with a subordinate position in comparison to the position of the rest of our Nation.

It happens that a considerable portion of the people of Hawaii are of Asiatic origin. This is fortunate for us, because, as American citizens, they are more adept than some of the rest of us in translating the American ideal into

terms which will be understood in Asiatic countries. It is to our utmost interest to let the people in the far Pacific know that the application of the people of Hawaii for statehood has been granted by Congress. The granting of statehood to Hawaii will demonstrate to the people of Asia and to the people of all the rest of the world that we are adhering to one of our most fundamental principles—namely, our dedicated belief in self-government and equal treatment of all citizens, irrespective of race, color, or creed.

Mr. President, at this point I feel compelled to mention to my colleagues and to the people of the United States something of great significance which will follow when Hawaii is admitted to our Union: Unfortunately, too many of the people of the United States and too many of the other people in the Western civilizations fail to realize that the great majority of the people of the world—vast numbers of them—are not of the Caucasian race. Last year, Alaska was admitted as the 49th State of our Union. If we fail to act now to admit Hawaii to our Union, we shall be saying to the rest of the world, to all the non-Caucasians in the world, not that Hawaii is non-contiguous to continental United States, not that other questions are involved, but that we refuse to admit Hawaii because it is composed of peoples whose skins are not white.

Mr. President, it is time that the people of the United States oriented themselves in the world, and oriented themselves to the fact that the great, gasping mass of humanity which seeks to find for itself relief from poverty and oppression and seeks to find opportunities for advancement, is not white. It is yellow, brown, and black. It is only a matter of chance that the 600 million or 700 million people in China, the 90 million people in Japan, the perhaps 250 million people in the Malayan States and in the Indonesian Republic, and the 300 million or 400 million people in India are not members of the white race. It is time that we Americans recognize that our primary task is to sell the American ideal to these peoples.

We do not have to convince them that Americans have the ability to outproduce anyone else in the world, or that Americans have more automobiles, more airplanes, more telephones, more televisions, more radios, and greater wealth than does any other nation in the world. They know that. But the most important job we have in the entire world is to convince them that we Americans believe implicitly in the principles our forefathers laid down in our Constitution and our Declaration of Independence, and that we intend to fight for those principles, not only in our own country, but throughout the world. That is our job. By demonstrating that we are willing to accept into full brotherhood in our Union the people of Hawaii who predominately are of other races, we shall prove to all the people of the world who by chance do not happen to have white skins that we have the same will to face up to the ideals of our Constitution and our Declaration of Inde-

pendence that our forefathers had. Probably that action will prove it better than anything else we could do at this session, and probably it will have a greater impact on them.

Mr. President, as my friend, the Senator from Idaho [Mr. CHURCH], pointed out only a few minutes ago, during World War II and the Korean conflict, the people of Hawaii served and defended this country, alongside soldiers from continental United States. Their performance was as patriotic and loyal as that of other Americans who served with our troops during the war.

Mr. President, at this point in my remarks I ask unanimous consent to have printed in the RECORD an editorial from the Denver Post of February 24, 1959, setting forth the facts of the service of the people of Hawaii to the Nation, the editorial being entitled "Congress Owes It to the Nation To Make Hawaii Our 50th State."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONGRESS OWES IT TO THE NATION TO MAKE
HAWAII OUR 50TH STATE

This week a crucial drive is starting in Congress to bring the Territory of Hawaii into the Union as the 50th State after a wait of more than half a century.

If Congress is responsive to the wishes of a vast majority of the people of the 49 States—as well as the wishes of the people of Hawaii—the statehood bill will be well on its way to enactment before the Easter recess.

We like to think that Congress, in acting upon the bill, will be mindful of the importance of the Hawaiian Islands to the Nation.

The strategic value of this Pacific stronghold of the Army, Navy, and Air Force should not require elaboration.

There are other values, of course.

Hawaii pays more taxes into the U.S. Treasury than do nine of the existing States. Its per capita income is higher than that of 35 States. Its area is greater than that of three existing States.

It is booming economically. A \$40 million oil refinery and a semi-integrated steel mill are being added to its diversified industry.

It has a larger population than any other Territory had at the time of statehood with the single exception of Oklahoma.

We hope Congress will be mindful of the fact that in the last two wars, the Korean conflict and World War II, servicemen from Hawaii suffered a greater casualty rate than any of the contingents from any of the States, without a single case of cowardice or defection to the enemy.

We trust Congress will understand that Hawaii has reached a stage of development where statehood is essential to its continuing prosperity.

Hawaii is outgrowing its plantation economy. Its expanding population is creating problems in the fields of planning, education and public services which an absentee Government, located in Washington, cannot solve satisfactorily. A vigorous State government with power to act on all problems must be provided.

Congress must be made to appreciate that a Territorial status cannot meet the needs of Hawaii today.

If statehood should be denied, this country will be guilty of colonial exploitation and Hawaii must, eventually, for its own best interests, demand an independent status.

We are encouraged by the fact that more than a majority of the Members of the

Senate are now listed as sponsors of the bill for Hawaiian statehood.

House Speaker SAM RAYBURN has added to the hopes of friends of Hawaii by predicting that the statehood bill will not be sidetracked in committee.

Senator ALLEN J. ELLENDER, Democrat, of Louisiana, has set the pattern for opposition to Hawaiian statehood in this Congress.

He objects because only about one-fourth of the residents of the islands are of Caucasian origin.

He also drags in the old, discredited claim that Hawaii is in danger from Communist-dominated labor leaders.

Hawaii's record during the Korean war and its postwar record of consistently defeating union-sponsored programs in the Territorial Legislature should be complete answers to the Communist scare.

U.S. citizens of Japanese ancestry make up about one-third of the Hawaiian population.

Many of these are second and third generation Americans by now.

They are as thoroughly American as the people of Louisiana or any other State. They have attended American schools, learned American history.

What Senator ELLENDER may really fear is that Hawaii, where people of many races live together in harmony, would send two racially tolerant Senators and one racially tolerant Congressman to Washington.

But whether or not Hawaii becomes a State, the days of second-class citizenship for nonwhite Americans are numbered. Defeat of the Hawaiian bill would not change that.

But it would be a grave injustice to the 500,000 fine Americans who live in the islands.

It would brand the United States as an oppressor of minority groups in the eyes of hundreds of millions of Asiatics.

And it could, in time, cost us the possession of the Hawaiian Islands themselves.

Mr. ALLOTT. Mr. President, the Communist issue—which involves the question of whether certain alleged Communists or Communist front organizations could in fact control Hawaii or Hawaiian elections—should be faced squarely here on the floor today. There are nearly 200,000 persons in Hawaii who are members of the labor force. Approximately 25,000 are members of the unions alleged to be Communist dominated. Only a few—a very few—of these 25,000 have ever been accused of being Communist sympathizers or Communist Party members.

If this had been proven in the past, the Federal Government, having the authority, facilities, and power to deal with Communist infiltrated unions, would have taken the necessary steps to strip the unions of their collective-bargaining rights.

Such Federal action would free local employers from recognizing these unions in contract negotiations and also permit union members to expel their Communist leaders. No action to this effect has been taken by Federal authorities.

The late Senator Butler, of Nebraska, investigated this problem thoroughly on two separate occasions. In 1947 he opposed Hawaii statehood because he felt positive steps were necessary to mitigate the Communist influence in the islands. In 1952—5 years later—Senator Butler reversed his position. He reported:

I believe the residents of Hawaii have demonstrated by positive action their aware-

ness of the Communist danger and their determination to face it frankly and never let it strengthen its foothold. During these years they have fought it boldly, have restricted its influence, and to some degree have driven it underground. I believe they have shown that they are as well able as the Federal Government to cope with this menace.

Senator BUTLER's findings are substantiated by reports from the FBI, naval and military intelligence. The FBI in 1953 stated that at no time were there more than 160 Communists in Hawaii. A 1951 FBI report listed only 36 known Communists.

Today it is estimated that between 40 and 60 Communists are left in all the Islands. This is 40 or 60 out of a total population of almost 635,000—at the most, Communists number only 1 out of every 10,000 people in Hawaii.

Other arguments against Hawaii statehood have been based on distance and noncontiguity. The admittance of Alaska discounts both. The speed of modern air travel further lessens the pertinence of such arguments. Hawaii is less than 5,000 miles from Washington, and only 2,500 miles from San Francisco. It is possible to be in Honolulu in less than 18 hours from Washington, and overnight from San Francisco. This is less time than it took to travel from the Capital to California when the latter was admitted into the Union. Jet aircraft will lessen the distance from time even more.

Some opponents of statehood claim that our other territories and possessions will demand statehood if Hawaii is admitted. This is an assumption wholly based on speculation, not proof. I understand that we have had absolutely no indication or requests from any of our insular possessions to be granted statehood. Moreover, it is a congressional tradition that an organized Territory must first serve an apprenticeship as an incorporated Territory with its own organic act before being admitted into the Union. Hawaii is our last incorporated Territory. Our organized territories can become incorporated only by act of Congress.

I must say at this point, with all frankness and candor, that I do not expect to have my vote interpreted, nor do I wish my vote upon the Hawaiian statehood bill to be interpreted, as being a commitment or a partial commitment in favor of the admission into the Union of States of any other tract of land until such territory has gone through a period of apprenticeship and appears to be qualified for such application.

Deliberations preceding the admittance of Alaska often centered on the new State's lack of population. However, a majority of both Houses justified the grant of statehood on the merits of the case. It is hard for me to understand the use of this same argument against Hawaii when her population of about 635,000 is approximately 2½ times that of Alaska—and more than that of six of our present States: New Hampshire, Delaware, Vermont, Wyoming, Nevada, and Alaska.

Hawaii's apprenticeship as a Territory has more than qualified her for full and equal membership in our Union of States. She has met every conceivable test.

Mr. President, it is our solemn duty, indeed I may say it is one of the greatest acts Congress can take in the interest of our Nation's welfare, to grant to Hawaii statehood at this time.

Mr. President, I ask unanimous consent that a collection of editorials from various newspapers in the United States be made a part of my remarks at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

ALABAMA

Gadsden (Ala.) Times, February 9: "All clear for Hawaii now," seems to be the word in Congress. The way was paved for Hawaiian statehood, of course, by Alaskan statehood on January 3, 1959. In fact, it has been common for States to be admitted by pairs with little or no time gap; New Mexico and Arizona within six weeks in 1912. Idaho and Wyoming 8 days apart in 1890. In 1889 North and South Dakota on the same day, and then Montana and Washington 3 days apart."

Tuscaloosa (Ala.) News, January 30: "It is generally agreed that Hawaii with its 554,000 civilian population has much to recommend it for statehood."

Decatur (Ala.) Daily, January 25: "Will Hawaii become the 50th State? If we knew the timetable in Washington we could answer the question. This we do know, eventually that Territory will become a State. The pattern was made when Alaska was welcomed."

ALASKA

Anchorage Daily Times, January 6: "Admission of Hawaii should complete the Federal family which started with 13 States * * * It is inevitable that Hawaii will someday be the 50th State. The only question left is timing. If it is to be a State eventually, why not now?"

ARIZONA

Yuma (Ariz.) Sun, February 8: "With Alaska we abandoned the notion that only Territories directly attached to the continental United States could be brought within the fold of States. Once we did that, then what difference whether the spread is 1,500 miles or 2,600? By all the fair measures Hawaii is believed ready for statehood."

ARKANSAS

Camden (Ark.) News, February 9: "Alaska is over the hurdle and is one of us. Now it's Hawaii's turn. Hawaii seems to present a more stable picture than in former years. Communist influence in unions appears to have waned and that argument has faded in consequence."

Texarkana Gazette, February 17: "A star for Hawaii? The issue has reached the point where much further delay cannot be explained on reasonable grounds."

CALIFORNIA

San Francisco Chronicle, January 27: "All the arguments against statehood have been persuasively answered. The people of Hawaii have long since demonstrated their adherence to American traditions, ideals, and culture. The allegation of Communist domination in the islands has been proven flimsy, indeed. The population has risen to 635,000, larger than 6 of the existing States."

Los Angeles Examiner, February 5: "It is the position of the Examiner and other Hearst newspapers that Hawaii merits statehood and should receive it at this session of Congress. These are our reasons: In the

testimony of Rear Adm. Kenmore M. McManes, Chief of Naval Operations for Administration, the Pentagon has endorsed Hawaiian statehood as militarily desirable. The grant of statehood to Alaska has removed one of the chief arguments in the past. This was the argument of noncontiguity—that is, territories not physically joined with our other States should not be admitted to statehood. The jet age has nullified distances. Both Alaska and Hawaii are frontline bastions of defense. Economically, Hawaii is certainly as well equipped as Alaska to support statehood. Despite fears of Communist influence in the islands, we have it on the word of such responsible men as Interior Secretary Fred A. Seaton that communism is under as strict surveillance in the islands as it is here. There is a Territorial subversive activities committee that cooperates closely with the FBI. We consider that half-hidden opposition to Hawaiian statehood because of the racial mixture of its people as completely insupportable. In fact, denial of statehood would do us tremendous psychological damage throughout the whole Pacific. As W. R. Hearst, Jr., summed it up Sunday in Editor's report: 'My father advocated statehood for Hawaii. That is still the position of the Hearst newspapers.'"

Los Angeles Mirror-News, February 5: "There is little doubt that admission of Hawaii to full statehood will be voted early in this session of the Congress. There is no reason, in logic, to bar Hawaii. With its population well on the way to a million, Hawaii has more people than several States. It pays its own freight, yielding more U.S. income tax than quite a number of our States in good standing."

Fullerton (Calif.) News-Tribune, February 3: "The usual array of arguments advanced in the past against the admittance of Hawaii appear to have been discarded at last. Favorable action now is predicted this session, and is long overdue."

Riverside (Calif.) Press, February 1: " * * * The words of the special subcommittee (of the House Insular Affairs Committee) report are worth noting: 'There are about 25 identified Communists in Hawaii. We have no exact knowledge as to the number of so-called fellow travelers but investigating agencies (including the FBI and the Territorial subversive activities committee) told us they know of no additional Communists since the previous congressional reports. We were unable to find any evidence in the social fabric of Hawaii that communism had made any substantial progress or that the community as a whole was unable and unwilling to cope with the problem. We were told that the FBI investigations, plus the Federal court convictions (under the Smith Act) had crippled the Communist apparatus and it would remain crippled. Fear no longer holds even the vestige of validity as a reason for keeping Hawaii out.'"

Vallejo (Calif.) Times-Herald, February 3: "In every sense, Hawaii has demonstrated allegiance to the United States and her principles of government. * * * The Nation should welcome Hawaii into the family of States."

Oakland Tribune, January 27: "Launched with the full support of the administration, the annual battle to bring Hawaii into the Union is underway again, and after nearly 40 years, it appears that the 50th star will be added to the flag. There will be some effort to prevent it once more, but the support that already has been announced for the measure in both Houses of Congress indicates that the opposition will be overcome, as it should."

Fresno Bee, February 11: "With Alaska ensconced in the Union, it will be difficult indeed to justify denial of the same status to Hawaii."

Hollywood Citizen-News, January 27: "Hawaii's efforts to control communism were

emphasized by Interior Secretary Fred A. Seaton yesterday in urging the House Interior and Insular Affairs Committee to approve a bill to make Hawaii the 50th State."

Turlock, Calif., Journal, February 5: "The arguments currently being advanced against statehood for Hawaii are few and feeble. Unless some better ones turn up, Congress will have a hard time finding reasons not to make it possible for Hawaii to become the 50th State."

Oakland Tribune, February 5: "The people of Hawaii have been put aside far too long as it is."

San Jose Mercury, February 7: "The Territory has the people, the resources and—above all—the will to become the 50th State. All the legal requirements have been or can be fulfilled readily. All that lacks at the moment is congressional action."

Pasadena Independent, February 7: "The fact that Alaska has become a State is a contributing argument for Hawaiian statehood, but it is only one among many * * *. Statehood is logical, just and necessary."

Bakersfield Californian, January 27: "The islands have become an important part of the Nation's organization, and its economic, social and political life has been closely tied with our own for more than half a century. The events of World War II clearly impressed on the minds of the American people the close connection between the islands and the mainland."

San Jose News, January 23: "If that resounding phrase 'taxation without representation' still can raise anger, then Hawaiians have a right to anger. They are not at all represented. This is idiocy in a modern, democratic western world."

San Bernardino Sun, January 8: "Both Alaskans and Hawaiians have shown unflinching patriotism in times past when the United States has faced major crises. Hawaii also will be most welcome into our family of States."

San Diego Union, January 3: "In the celebration for Alaska, it should not be forgotten Hawaii is equally deserving of statehood. It should be a good thing to approve Hawaii as the 50th State in the flag before major production starts on the 49-star flag."

COLORADO

Fort Morgan Times, February 13: "This Congress should admit Hawaii. Her admission is favored by President Eisenhower, Harry S. Truman, Richard M. Nixon, Earl Warren, Paul M. Butler, Fred L. Seaton, Joseph W. Marton, Gordon Allott, and a long list of statesmen expressing themselves from a bipartisan standpoint."

Pueblo Star-Journal, February 8: "By all the fair measures Hawaii is ready for statehood. The issue has reached the point where much further delay cannot be explained on reasonable grounds."

Pueblo Chieftain, February 12: "Comment on Hawaii statehood at Washington, in connection with the committee hearings there, brings out the significant fact: The series of political defeats the ILWU has suffered in Hawaii in recent years is regarded as an asset to the statehood fight."

CONNECTICUT

Waterbury (Conn.) Republican, January 23: "In many respects, we suspect that the Hawaiians are more American than a great many Americans. Certainly Communist efforts to influence the island government have been pitiful failures, and there can be little doubt that participation by Hawaiian leaders in the affairs of Congress would be of great value because of their long and intimate experience in dealing with oriental peoples."

Bridgeport Post, February 9: "The indications are that in the name of justice toward the people, this Congress will soon pass the necessary legislation, and the United States

will once again face the problem—but a much simpler one—of adding another star to the flag."

Norwich Bulletin, February 8: "Now that Alaska has been launched as a full-fledged member of the Union, the reasons for withholding such status from Hawaii are even less compelling than in the past. Congress would do well to approve this measure without further delay."

New Britain Herald, January 17: "The case for Hawaii is a good one: American traditions, affiliations, and interests all abound. Further, there is an outright desire by Hawaiians to be Americans, regardless of the tax increases and other problems it will mean."

DELAWARE

Wilmington (Del.) News, February 7: "In Congress even the opponents of the admission of Hawaii as a State are saying they believe it is inevitable * * *. Nothing succeeds like success—nothing, at least, is a better self-starter in almost any field of endeavor. The success of Alaska beams directly across the Pacific towards Hawaii, which is basking in the glow."

FLORIDA

Tampa Times, January 27: "One of the best reasons for bringing Hawaii into the Union is that it will extend the frontier of the United States well into the Pacific and make us a closer neighbor to Asia. The voice and vote of persons who understand the Asian viewpoint may be a valuable asset in Congress. The granting of full statehood to a Territory with such a large Asian population might also serve to favorably impress other Asian nations and combat anti-American propaganda spread by the Reds."

St. Petersburg Times, January 24: "With a Hawaiian statehood bill in effect already 'passed' in the Senate and with hearings on such a measure promised soon in a House committee, the chances are much better than even that our new flag will have to be redesigned before we have become accustomed to it."

GEORGIA

Atlanta Constitution, January 17: "If the United States wishes to show unmistakably and unequivocally that it stands foursquare behind the principle of equality of all men under God, it can do so by admitting Hawaii to the Union."

Columbus Enquirer, January 28: "These points and others made by (Interior Secretary) Seaton before the House committee should convince the members that Hawaii is ready to enter the Union. It is hoped that the group will lose no time in approving such legislation."

Albany (Ga.) Herald, February 11: "All indications thus point to a 50th star for the American flag in 1959. As in the case of Alaska, the Nation will be far wealthier in terms of human as well as natural resources as a result of congressional action approving Hawaii's unrelenting will for statehood status."

Thomasville (Ga.) Times-Enterprise, February 3: "Statehood for Hawaii is pretty much assured if public reaction is any token. If the Congress is going to approve the plan, it would seem silly to delay now that Alaska's broken the ice."

Rome (Ga.) News-Tribune, February 3: "'All clear for Hawaii now,' seems to be the word in Congress. The way was paved for Hawaiian statehood, of course, by Alaskan statehood on and as of January 3, 1959."

IDAHO

Idaho Falls (Idaho) Morning Post Register, February 6: "By all the fair measures Hawaii is believed ready for statehood. The issue has reached a point where much further delay cannot be explained on reasonable grounds."

ILLINOIS

Chicago Sun-Times, January 28: "There is no reason whatever why Congress should go slow in granting Hawaii statehood, as demanded by statehood foes. * * * Congress should act to permit Hawaii to join the Union before the current session ends in July or August."

Aurora Beacon-News, January 22: "One of the inescapable tasks confronting the 86th Congress is that of granting statehood to Hawaii, a favor to the islands and to the Nation that has been too long delayed."

Alton Telegraph, January 28: "The United States should welcome Hawaii into statehood now; make her part of the country instead of a mere dependent."

Decatur Review, January 28: "In every way, Hawaii is eminently qualified for statehood * * * only statehood will give to the people of Hawaii the full citizenship to which they are undeniably entitled."

Quincy Herald-Whig, January 19: "The people of the Hawaiian Islands have been clamoring for entrance into the Union even longer than Alaska. Congress will find it difficult to withhold statehood from the Pacific Islands."

Carbondale South Illinoisian, January 29: "Perhaps the strongest argument for Hawaiian statehood, and one which applied in Alaska last year, is that American citizens in our Territories who pay taxes and serve on battlefronts and fulfill all other duties of citizens deserve a voice in the U.S. Congress where the laws are passed that govern them."

Danville (Ill.) Commercial News, January 30: "Hawaii has earned the star in her crown—and in the American flag. Let us hope she gets it soon."

INDIANA

Madison Courier, January 27: "Hawaii is an enterprising and modern country. It would make a nice addition to the United States."

La Porte Herald-Argus, January 6: "With Alaska officially having become the 49th State, it is appropriate to hope that the new Congress will lose no time in acting to make Hawaii the 50th."

South Bend Tribune, January 25: "Now the number of required States' approvals has been increased by Alaska's admission to the Union, and it is probable that Hawaii also will win statehood in the near future."

Gary Post-Tribune, February 6: "Hawaii's request for statehood is a fine tribute to the American form of government."

Washington (Ind.) Times, February 7: "Industrial development and population growth in Hawaii have gone hand in hand. The island's billion dollar annual gross product should provide enough revenue for intra-state expenses."

Terre Haute Tribune, February 6: "Even that old bugaboo, communism on the islands, has been given the coup de grace by Representative FRANCIS E. WALTER, chairman of the House Committee on Un-American Activities. Noting that the Red menace is weaker than when his group investigated several years ago, WALTER came out for Hawaiian statehood."

Plymouth Pilot-News, February 16: "At long last it seems that Congress will recognize that justice to Hawaii must be done in granting statehood to that Territory."

IOWA

Sioux City Journal, January 30: "Population-wise, the islands are bigger and in many ways better qualified economically and politically for statehood than many of the 49 States were at the times of their admission to statehood."

Marengo (Iowa) Pioneer-Republican, January 15: "Although it required almost a half-century after Arizona was admitted to the Union as a full-fledged State before another

territory finally made the grade into statehood, there seems to be a lot of optimism everywhere before we have the 50th State in the fold."

Delwein (Iowa) Register, January 21: "Five major Pacific commands in Hawaii show the Islands' military importance. Statehood will serve notice to the world that the United States intends to stay in the Pacific."

Fort Madison Democrat, February 7: "Hawaiian statehood should be an immediate order of business in the Senate as in the House."

Burlington (Iowa) Hawkeye-Gazette, February 3: "The odds are that Hawaii will be granted statehood in this session of Congress."

Cedar Rapids Gazette, February 5: "Since Alaska and Hawaii often have been coupled together in earlier bills for admission and, perhaps equally significant, in many party platforms, the point about admission in pairs is well taken."

KANSAS

Wichita Morning Eagle, February 6: "One of the major objections to Hawaiian statehood was erased when Alaska became a State. This was the idea that a territory without borders contiguous with the present United States would be difficult to defend and lacking in common interests with the other States."

Lawrence Journal-World, January 22: "Among the leading Americans who have come out in favor of statehood for Hawaii are President Eisenhower and Chief Justice Earl Warren of the U.S. Supreme Court."

Wellington (Kans.) News, February 3: "Let's send word to our Senators and Congressmen that there is no need or reason to wait longer to add that 50th star to our flag for Hawaii."

Dodge City Globe, January 28: "Secretary of the Interior Fred Seaton, former Kansan, told Congress Monday that 'we need Hawaii as an equal partner as much as Hawaii needs statehood.'"

KENTUCKY

Owensboro (Ky.) Messenger Inquirer, February 9: "Reasons and excuses for deferring the admission of Hawaii to statehood are now impotent if not negligible."

Middlesboro News, February 9: "Alaska is over the hurdle and is one of us. Now it's Hawaii's turn. By all the fair measures Hawaii is believed ready for statehood."

Winchester Sun, February 16: "One opponent of statehood argued that bringing Hawaii into the Union would be 'a geographical absurdity,' but in an age of swift transportation and communication this in itself is an absurdity."

Ashland Independent, January 6: "In point of population the Hawaiian Islands are ahead of Alaska, having substantially more than 500,000 inhabitants. The territory pays more Federal taxes than 10 of the existing States. Hence its application will be hard to refuse."

LOUISIANA

Lafayette Advertiser, February 5: "Hawaii seems to present a more stable picture than in former years. Communist influence in unions appears to have waned, and that argument had faded in consequence. By all the fair measures Hawaii is believed ready for statehood. The issue has reached the point where much further delay cannot be explained on reasonable grounds."

MAINE

Portland (Maine) Express, February 5: "The mood in Congress at this session seems to be 'All clear for Hawaii now.' If the mood lasts, flagmakers will have their work to do all over again."

Bangor (Maine) News, December 18, 1958: "There's no need to review at length the history of Hawaii's long struggle to win state-

hood status. And we hope members of Maine's delegation to Congress feel the same way and will, to use the slogan of the Hawaii Statehood Commission, 'Help Hawaii become the 50th State in '59.'"

MARYLAND

Baltimore News Post, January 6: "The Hearst newspapers are proud of the part they were privileged to play in the long and vigorous campaign to win statehood for the huge territory which we bought from Russia in 1867 for \$7.2 million. The Nation's eyes should now be directed toward Hawaii as a possible 50th State."

Hagerstown Herald, February 6: "With Alaska we abandoned the notion that only territory directly attached to the continental United States could be brought within the fold of States. Once we did that, then what difference whether the spread is 1,500 miles or 2,600?"

Cumberland News, February 6: "It has been pretty common for States to be admitted by pairs with little or no time gap. Idaho and Wyoming eight days apart in 1890. In 1889 North and South Dakota on the same day, and then Montana and Washington three days apart."

MASSACHUSETTS

Boston Globe, January 31: "Hawaii has removed the last plausible objection to admission by writing strong anti-Communist provisions into its proposed State constitution. Both justice and commonsense require that she quickly become a State."

Boston Record, February 5: "It is the position of the Daily Record and other Hearst newspapers that Hawaii merits statehood and should receive it at this session of Congress. We consider the half-hidden opposition to Hawaiian statehood because of the racial mixture of its people as completely insupportable. In fact, denial of statehood would do us tremendous psychological damage throughout the whole Pacific."

Boston Traveler, February 7: "Occasionally the United States gets a chance to do itself a real favor and, at the same time, make a big impression on the rest of the world—all without spending a dime. Such an opportunity knocks once again in the bill for Hawaiian statehood, now before Congress."

Boston American, February 6: "It is illogical and unfair to grant statehood to Alaska and deny it to Hawaii."

Springfield, News, February 10: "Hawaii should be admitted to the Union as Alaska's pair. They both belong in the Union, and things won't seem right until we have 50 stars in the flag."

Haverhill Gazette, February 5: "If Hawaii becomes the 50th State this year—and certainly chances now seem favorable—the country will have acquired a pair of States with little time lag in between. There is considerable precedent for such expansion in America."

Springfield Union, January 17: "With Alaska now a full-fledged member of the United States, the logical step is immediate admittance of Hawaii, which has earned statehood along with Alaska."

Christian Science Monitor, January 30: "There are committee processes to be ground out and votes to be taken, but it looks as if mainlanders should be making lels to loop around the necks of incoming Hawaiians."

MICHIGAN

Detroit Free Press, January 6: "We are not through yet, by any means. Before this year is out, we may very well see the 50th star added as Hawaii is admitted."

Detroit Times, February 7: "The House Interior Committee voted 25 to 4 for Hawaiian statehood. The bill to create our 50th State heads next for the Rules Committee, then action by the full House, then the Senate. Though there is some die-hard opposition, the measure should succeed."

Detroit Times, February 4: "The jet age has nullified distances. Both Alaska and Hawaii are front line bastions of defense."

Royal Oak Tribune, January 2: "Maybe pretty soon we will have to change these for 50-star flags, because Hawaii is asking for statehood as well. We hope that this territory can achieve it soon."

Hillsdale News, January 17: "Deserving Hawaii has been denied statehood much too long."

Muskegon Chronicle, January 20: "Hawaii has waited a long time, much longer than Alaska waited. Within another year our flag is likely to have its 50th star."

Jackson Citizen Patriot, January 29: "Hawaii has some strong arguments on its side. It has more than double the population of Alaska and is more advanced economically. It is better able to support State government and, like Alaska, is a key bastion in the defense of the United States."

Port Huron Times-Herald, February 9: "It looks as though the chances for Hawaii being admitted to the Union soon are very good."

Albion Recorder, January 30: "Hawaii does, however, by most apparent standards deserve admittance as a State soon."

Saginaw News, February 3: "Both major parties have pledged statehood for several years. Last year they even stood for an 'immediate' grant of statehood. Now it's time that the promise was fulfilled."

Battle Creek Enquirer-News, February 6: "Congress seems to be in a mood to speed action on Hawaii, as it should."

MINNESOTA

Duluth News-Tribune, January 19: " * * * the United States has made itself ridiculous in the eyes of the world by its delay in granting statehood to Alaska for so long and now by its continued delay in making Hawaii a State—after so many pledges."

St. Cloud Times, January 19: "Hawaii has been knocking on the doors of the Union for 55 years. It has more population than Alaska, more industry, more developed wealth. Maybe this is Hawaii's year. We hope so."

Faribault News, January 3: "On this important date for Alaska—official recognition as a State of the Union—we express the hope that Hawaii in the coming months will be admitted as the 50th State."

MISSISSIPPI

Greenville Democrat-Times, February 12: "Our American forefathers rejected being taxed without being represented. The Hawaiians now bear far heavier taxes without representation and send their sons into the armed services via a draft they had no voice in approving. We repeat, the people of Hawaii have too long been denied these rights. This must be Hawaii's year to attain statehood."

Gulfport Biloxi Herald, February 11: "Now it's Hawaii's turn. The issue has reached the point where much further delay cannot be explained on reasonable grounds."

MISSOURI

St. Louis Post Dispatch, February 8: "Everybody who had hoped that Hawaii and Alaska would come into the Union together last year will be delighted with the excellent progress of the Hawaiian cause in a Congress that is barely a month old."

St. Louis Post Dispatch, January 20: "With the 49th State thus working for the 50th-to-be, surely a Hawaiian statehood bill will be an early enactment of the session."

Kansas City (Mo.) Star, January 20: "The great majority of islanders (there are nearly 600,000) consistently have favored statehood. And recent polls show approval by citizens of other States."

Columbia Missourian, January 29: "There is little reason for denying Hawaii admission to the Union at this time."

Hannibal Courier Post, January 29: "It was especially gratifying that Interior Secretary Fred A. Seaton appeared before the House Interior Affairs Committee to make a strong case for Hawaiian statehood. He noted that Hawaii has been preparing for 59 years, which is a good deal longer time than was required."

St. Joseph News-Press, February 4: "The way was paved for Hawaiian statehood when Alaska officially became a State on January 3. An over-the-shoulder look shows that it is quite common for States to be admitted to the Union in pairs."

Columbia Tribune, February 3: "The way seems clear for the early admission of the islands territory."

MONTANA

Butte Post, February 7: "Now that Alaska has been launched as a full-fledged member of the Union, the reasons for withholding such status from Hawaii are even less compelling than in the past. Congress would do well to approve this measure without further delay."

Havre News, February 2: "It is pleasing to note that Republican and Democratic Senators are getting together to see if they can get Hawaii into the Union by the end of this year. Most of the stumbling blocks of the past have been removed and a count of favorable senatorial noses leads us to believe that the great day for Hawaii isn't far off. The more realistic Congress gets about Hawaii the more it realizes that statehood for the Territory has been delayed too long."

Great Falls Leader, February 4: "By all the fair measures Hawaii is believed ready for statehood."

Missoula Sentinel, February 5: "Alaska has broken the ice and changed the flag. Now it is Hawaii's turn."

Billings Gazette, February 4: "Since the measure to admit the Territory of Alaska to statehood was passed at the last session of Congress, it has been taken for granted that the Hawaiian Islands will be voted into the Union during the present session. All reports coming out of Washington on that subject serve to indicate that this prediction will be fulfilled."

NEVADA

Las Vegas Review-Journal, February 5: "A star for Hawaii? * * * This year odds run more strongly for it, though opposition still exists. By all fair measures Hawaii is believed ready for statehood."

NEW HAMPSHIRE

Claremont Eagle, February 5: "All clear for Hawaii now, seems to be the word in Congress. The way was paved for Hawaiian statehood, of course, by Alaskan statehood on and as of January 3, 1959."

Nashua Telegraph, February 7: "Hawaii seems to present a more stable picture than in former years. Communist influence in unions appears to have waned, and that argument has faded in consequence."

NEW JERSEY

Trenton Times, February 3: "There were good and sufficient reasons for the decision of Congress to grant statehood to Alaska. There are equally good reasons for making Hawaii the 50th State."

Passaic Herald-News, January 28: "With such a favorable finding by the subcommittee and the admission of Alaska as a precedent, the Hawaii statehood bill should stand a good chance of passage."

Asbury Park Press, February 12: "Hawaiian statehood will be voted before Easter, Washington prophets says. President Eisenhower has called for prompt action; the Pentagon says that statehood would help the war effort."

Paterson Call, February 6: "Congress would do well to approve this measure without further delay."

NEW MEXICO

Albuquerque, N. Mex., Journal, February 4: "The opposition to admission of Hawaii has been largely by southern Congressmen because it seems another State added to the pro civil rights camp, and would enhance the likelihood of more stringent civil rights legislation. But the green light for admission appears to be fixed, especially since the proponents have picked up the votes of the new State of Alaska."

NEW YORK

New York Times, March 5: "Hawaiians of every background have proved their loyalty by fighting and dying for our country on equal terms with Americans from the mainland. Against that background statehood for Hawaii is an obligation the rest of us have long owed our fellow Americans who live in those beautiful islands."

New York Times, February 1: "There is no reason or excuse to put off statehood for Hawaii. The fact that Alaska has become a State is a contributing argument for Hawaiian statehood but it is only one among many."

New York Journal-American, February 3: "It is the position of the New York Journal-American and other Hearst newspapers that Hawaii merits statehood and should receive it at this session of Congress. As W. R. Hearst, Jr., summed it up Sunday in Editor's Report: 'My father advocated statehood for Hawaii. That is still the position of the Hearst newspapers.'"

New York Times, January 4: "Now we must hope and expect that the 86th Congress will grant statehood to that other Territory which in these days of jet travel lies just across the river that we call the Pacific Ocean, west by south from San Francisco. Hawaii should be next."

New York Journal-American, January 5: "But now our new star in the North is firmly fixed in the flag, and there is room for that Western star that will ascend one day when Hawaii also wins statehood. The Union still grows—and the prophets of doom are confounded."

Mount Vernon Argus, January 6: "So to Alaska, already in, and to Hawaii, knocking at the door, our best wishes for growth throughout 1959 and thereafter along lines which will make their peoples prosperous and happy."

Little Falls, January 22: "Legislation to admit the Territory of Hawaii as the 50th State in the Union has been introduced in Congress, and it is to be hoped that 1959 is the year when this long-sought goal of the islanders will become a reality."

Jamestown Post-Journal, January 28: "The Nation needs Hawaii as an example before the world of American democracy in action. Hawaii should become the 50th star in the flag this year."

Albany Times-Union, January 31: "Hawaii's chances of becoming a State this year continue to look good."

Yonkers Herald-Statesman, February 10: "Now in this promising year of 1959 the newest baby of the grand and glorious galaxy of States was born on January 3. Is Alaska to grow up alone? Or will there be the usual twin? Are you listening, Hawaii?"

Troy Record, January 30: "The admission of Hawaii is only fair and reasonable. The measure deserves speedy support and it is pleasing to observe that Congress seems to also be in the mood to take care of this long-neglected old business."

NORTH CAROLINA

Wilmington, N.C., Star, January 28: "Now that Alaska has attained statehood status, the long-time supporters of Hawaiian statehood are starting the ball rolling for a 50th State. Interior Secretary Fred A. Seaton fired the opening gun for the administration Monday when he declared that after a 59-

year 'apprenticeship' Hawaii has earned the right to fair and equal treatment with the other 49 States. Apparently, that apprenticeship is about over. And we agree that 59 years is a long apprenticeship not to have a turning."

Burlington, N.C., Times News, January 27: "Prospects for statehood for Hawaii appear bright before the present 86th Congress completes its work and its Members, in recess, journey home again. Hawaii has a stronger bid now that Alaska finally was victorious in the battle for statehood after many years in the 85th Congress last year. The barrier was not the absence of justification for statehood grants, but the restraining power of politics."

Durham, N.C. Herald, January 28: "The Nation's new 49-star flag appears destined to be outmoded almost as soon as it is run up on the flagpoles for the first time officially next July. Congressional support for Hawaii as the 50th State is already showing a strength approaching that which put over Alaskan statehood last year. With Hawaii, as with Alaska, the movement is bipartisan. It is reflected by leaders both in Congress and the Eisenhower administration. Most important, however, it is reflected in prompt action by Congress * * *."

Greenville, N.C., Reflector, January 29: "There is little if any reason for Congress to continue to deny statehood to this Territory of the United States which has been incorporated since 1898. Clearly Hawaii has earned the right to statehood."

Stanford (N.C.) Herald, January 23: "Much more than an ordinary newspaper, or a piece of merchandise, is in your hands at this moment. This 1959 progress edition of the Advertiser is an appraisal of the coming year, that looms as bright as that 50th star that seems almost ready to jostle the others in the flag's field of blue." So begins an editorial in the 62-page Honolulu newspaper issued January 1 for the express purpose of stating Hawaii's case for entrance into the Union of the United States. The paper, a copy of which this week reached our desks, is a brilliant statement of purpose. We read it literally for hours and must confess utter amazement at the power and might and industry which is Hawaii today. * * * Here are some of Hawaii's arguments: Dedicated Americans, Hawaiians look to Congress for full rights of citizenship; jets cut time from San Francisco to 4½ hours; American business capital is pouring into the islands (in Honolulu, as an example, a \$50 million shopping center is planned this year); research and diversification in agriculture foretell new vistas of production and sales; and certain pressure mounts politically on the basis of Alaska's admission. The case for Hawaiian statehood, we submit, is eloquently stated."

OHIO

Cleveland Plain Dealer, February 6: "The overwhelming vote in the House Interior Committee (25 to 4) to admit Hawaii to the Union makes it all but certain that the House of Representatives will speedily approve legislation to make Hawaii the 50th State."

Toledo Blade, February 7: "So if sunny Hawaii becomes the 50th State soon after chilly Alaska's having been made the 49th, Congress will not only be playing fair to the islanders but it will be following a tradition. Let it be another couple soon."

Ashtabula Star-Beacon, February 10: "Alaska is over the hurdle and is one of us. Now it's Hawaii's turn."

Fostoria Review-Times, February 19: "Statehood would confirm the hope that America believes in the full development of local self-government. Our national policies will be judged in no small measure by the decisions we make in respect to the people of Hawaii."

Dayton News, January 27: "Hawaii has struggled for years for the recognition which she now richly deserves."

Mt. Vernon News, January 30: "Congress should not let the Hawaii statehood bill drag along until near the end of the session when it will become lost in the mad rush to enact essential legislation before adjournment."

Cambridge Jeffersonian, January 31: "The loyalty of the Hawaiian was especially pronounced during World War II. Having fulfilled all qualifications, they are perfectly justified in demanding American citizenship."

OKLAHOMA

Enid Eagle, January 27: "For both the mainland United States and the islands themselves, there is little doubt of the mutual value of statehood, both from an economic and a defense basis. It is to be hoped that this time the dream of statehood will be realized * * *."

Alva Review-Courier, February 8: "There seems little doubt now that Congress will be granting statehood to the Territory of Hawaii."

Norman Transcript, February 10: "Now it's Hawaii's turn. The issue has reached the point where much further delay cannot be explained on reasonable grounds."

OREGON

Portland Journal, January 27: "Supporters of Hawaiian statehood stepped aside last year to let the Alaskan bill go through alone. This year the sponsors of Alaskan statehood, including Alaskan and Pacific Northwest delegations, are solidly supporting Hawaii's bid."

Medford Mail-Tribune, December 16, 1958: "It would be singularly appropriate—from Oregon's standpoint—to have the Hawaiian Islands become a State on the 100th anniversary of Oregon's own statehood (during 1959)."

Astoria Astorian-Budget, January 21: "There is no logical argument against Hawaiian statehood. It obviously ought to be granted and Congress has no valid excuse for neglecting it."

La Grande Observer, February 7: "Hawaii is ready for statehood. The issue has reached a point where much further delay cannot be on reasonable grounds."

Eugene Register-Guard, February 10: "Alaska came in officially on January 3, 1959. It would be appropriate this year to add Hawaii as its twin."

Pendleton East Oregonian, February 6: "Today * * * southern Senators are unlikely to filibuster against Hawaiian statehood."

PENNSYLVANIA

Philadelphia Inquirer, February 1: "Surely the time has come when this Territory should follow Alaska into the Union, as our 50th State. Her people deserve it, they very much desire it, and they would be a valuable addition to the United States of America."

Pittsburgh Sun-Telegraph, February 3: "The grant of statehood to Alaska has removed one of the chief arguments in the past."

Pittsburgh Sun-Telegraph, February 6: "It is illogical and unfair to grant statehood to Alaska and deny it to Hawaii."

Reading Times, January 31: "For we hope by the time the 1st session of the 86th Congress completes its chores, Hawaii will be the 50th State."

Ambridge Citizen, February 5: "The arguments currently being advanced against statehood for Hawaii are few and feeble. Congress would do well to approve this measure without further delay."

Oil City Derrick, February 12: "Hawaii should have statehood."

Reading Eagle, February 14: "Quick and overwhelming endorsement of statehood for

Hawaii by the Interior and Insular Affairs Committee of the U.S. House of Representatives has reviewed hopes of that Territory's 580,000 inhabitants for admission to the Union after 61 years of subordinate status."

Hazleton Standard-Sentinel, February 13: "We need Hawaii as an equal partner as much as Hawaii needs statehood"—Interior Secretary Fred A. Seaton.

Lancaster News, January 4: "It seems incredible that Hawaii can be kept out."

Doylestown Intelligencer, February 9: "Why not add another star to the flag—pronto?"

Altoona Mirror, February 10: "Let's aid Hawaii. Alaska is over the hurdle. Now it's Hawaii's turn."

Scranton Times, January 29: " * * * it looks now as if the Nation's flagmakers can get busy shortly on the design of another new national emblem bearing a 50th star."

Scranton Tribune, January 28: "As far as the committee (headed by Congressman Leo O'BRIEN, N.Y., Dem.) is concerned, Hawaii has been 'in training' for statehood for 60 years and measures up on all pertinent points * * *"

Homestead Messenger, January 23: "Remind your Congressmen of plea of Hawaiians: It might result in the addition of a 50th State of the Union."

SOUTH CAROLINA

Greenville (S.C.) Piedmont, February 5: "Alaska is over the hurdle and is one of us. Now it's Hawaii's turn. By all the fair measures Hawaii is believed ready for statehood. The issue has reached the point where much further delay cannot be explained on reasonable grounds."

SOUTH DAKOTA

Pierre Capital-Journal, January 3: "Next July we will be flying a flag with 49 stars. That flag ought to have 50 stars by 1960."

Aberdeen American News, February 3: "The United States has made itself ridiculous in the eyes of the world by its delay in granting statehood to Alaska for so long and now by its continued delay in making Hawaii a State—after so many pledges."

Aberdeen American News, February 4: "The way was paved for Hawaiian statehood by Alaskan statehood on and as of Jan. 3, 1959."

TENNESSEE

Nashville Banner, January 27: "Now admit Hawaii. Congress can and should act swiftly, to fulfill a commitment which rests on the merits of the case. The time to do that is now."

Chattanooga Times, February 2: "For years, the prospects have been for Alaska and Hawaii to make it together. Alaska is in; Hawaii should not be far behind."

Oak Ridge Oak Ridger, February 3: "It is wrong to deny any other people rights—as the residents of Hawaii have been denied them for years—just because the votes of their future Congressmen might be in conflict with local sentiments."

TEXAS

Dallas News, January 31: "Statehood for Hawaii has been favored by both major parties by repeated Gallup polls and by three Presidents—Roosevelt, Truman, and Eisenhower. The prosperous sugar, pineapple and tourist industries could easily support a state government."

Beaumont Journal, February 6: "Now that Alaska has been added to the sisterhood of States, there is no sound reason for holding out any longer on Hawaii."

Fort Worth Star-Telegram, February 9: "Like Alaska, the 49th State, Hawaii will be an inviting frontier for development when it becomes a State."

Austin American, February 6: "By all the fair measures, Hawaii believed ready for statehood."

San Antonio Light, February 4: "Despite fears of Communist influence in the islands,

we have it on the word of such responsible men as Interior Secretary Fred A. Seaton that communism is under as strict surveillance in the islands as it is here."

Waco Times-Herald, February 2: "This country and both its political parties are obligated by sentiment and repeated promises to give statehood to Hawaii."

San Angelo Standard, February 5: "A recent team of congressional investigators found the islands unmarked by signs of Communist control. Hawaii more than many States, has fought against this menace and brought them under control."

Austin Statesman, January 30: "Statehood is owed Hawaii. Simple justice demands it."

Tyler Telegraph, January 9: "Hawaii is deserving and the Hawaiians have waited for statehood too long already."

UTAH

Salt Lake City Deseret News, January 27: "While the world generally has pointed very critically at Little Rock, Americans could point with pride at the superb example Hawaii gives of many people of a mixed society living together in harmony."

VERMONT

Barre Times, January 27: "This newspaper implores the Vermont delegates in Congress to support immediate statehood for Hawaii. Sixty years of apprenticeship is enough."

VIRGINIA

Lynchburg Advance, February 19: "Admission of the Territory of Hawaii as the 50th United States appears to be just over the blue Pacific's horizon, if not around the corner."

Alexandria Gazette, February 9: "The arguments currently being advanced against statehood for Hawaii are few and feeble. Now that Alaska has been launched as a full-fledged member of the Union, the reasons for withholding such status from Hawaii are even less compelling than in the past."

Norfolk Ledger-Dispatch, February 7: "The drive to grant statehood to Hawaii has begun in Congress with such vigor as to suggest that flagmakers would do well to avoid laying up too great stockpile of the banners with 59 stars."

Newport News Press, January 20: "Alaska is in and Hawaii is not far behind."

WASHINGTON

Seattle Times, January 29: "Now for No. 50. Now that Alaska is off to a good start as the 49th State, we believe the appropriate legislation in both congressional chambers should be brought to an early vote and enacted into law."

Tacoma News-Tribune, January 31: "Congress should regard the will of the people and put Hawaii's star on the flag."

Spokane Spokesman-Review, January 29: "Nothing, except the vagaries of political contention, now can excuse failure to take final and decisive action on these patient petitioners. There is no good reason why the vote of both houses should fail to be 'yes.'"

Walla Walla Union-Bulletin, February 5: "Congressman Russell Mack, of Washington's Third District, has come out unequivocally for the admission of Hawaii as our 50th State."

Longview News, January 23: "Congress has no reason now for not admitting Hawaii. Certainly no territory has been in as good a position to help the United States build friendship and sound business relations in the Pacific."

Everett Herald, January 22: "The whole matter simmers down to the point that it is too bad the Congress did not vote statehood for Hawaii the same year it voted Alaska into the Union."

Olympia Olympian, February 9: "With Alaska we abandoned the notion that only territory directly attached to the continental United States could be brought within the fold of States. Once we did that, then what

difference whether the spread is 1,500 or 2,600?"

WEST VIRGINIA

Bluefield Sunset News-Observer, February 16: "President Eisenhower has called for prompt action; the Pentagon says that statehood would help the war effort. Hawaii's chances look good."

Clarksburg Exponent, February 10: "A star for Hawaii? By all the fair measures Hawaii is believed ready for statehood."

Morgantown Dominion News, February 5: "Statehood in pairs. The way was paved for Hawaiian statehood * * * by Alaskan statehood on and as of January 3, 1959."

Mullens Advocate, January 15: "Alaska—and now Hawaii? The Territory pays more Federal taxes than 10 of the existing States * * * its application will be hard to refuse."

Logan Banner, February 5: "Hawaii seems to present a more stable picture than in former years. Communist influence in unions appears to have waned, and that argument has faded in consequence."

WISCONSIN

Milwaukee Sentinel, February 1: (Editor's report by William Randolph Hearst, Jr.)—"My father advocated statehood for Hawaii. That is still the position of the Hearst newspapers."

Racine Journal-Times, January 30: "This session of Congress owes to the people of Hawaii—and, as Secretary Seaton pointed out, to the people of the whole United States—a vote for immediate statehood for a Territory that has waited 59 years for the privilege."

Milwaukee Sentinel, February 6: "Despite fears of Communist influence in the islands, we have it on the word of such responsible men as Interior Secretary Fred A. Seaton that communism is under as strict surveillance in the islands as it is here."

Eau Claire Telegram, February 5: "All clear for Hawaii now, seems to be the word in Congress. Although opposition still exists, the odds are that it will not be strong enough to make an impression."

Oshkosh Northwestern, December 2, 1958: "Now with Alaska in the fold, it seems no more than fair that Hawaii should be granted the same privilege."

WYOMING

Casper Tribune-Herald, February 4: "The old arguments against the island State have been either answered or destroyed by the action on Alaska."

Cheyenne Eagle, February 7: "With the 49th State thus working for the 50th-to-be, a Hawaii statehood bill should be an early enactment of the session."

Sheridan Press, February 11: "Statehood for the islands * * * is about to enter the bill-drafting stage for the umpteenth time. By all the fair measures Hawaii is believed ready for statehood."

Sheridan Press, February 3: "To all current appearances, however, the curtain has been lifted and Hawaii is on the way in."

Cheyenne State Tribune, February 13: "Alaska has broken the ice and changed the flag. * * * Now it's Hawaii's turn * * * further delay cannot be explained on reasonable grounds."

WASHINGTON, D.C.

Washington Star, January 21: "The territorial form of government is the normal step preliminary to statehood, and Hawaii meets all reasonable standards for admittance now as a full-fledged State. There is no good reason for further delay."

Mr. MOSS. Mr. President, I rise to associate myself with the eloquent and informative remarks which have been made on the floor today by the many distinguished Senators in support of this historic measure for statehood for Hawaii.

As a Senator from the great State of Utah, I am particularly happy that among the first pieces of major legislation on which I am privileged to vote is statehood for Hawaii. For years I have read and studied what I could on the question of Hawaiian statehood. Then, upon becoming a Member of the Senate Committee on Interior and Insular Affairs, I continued my study of the Hawaii statehood question in the truly voluminous committee records on the subject, and I attended with keen interest the hearings held late last month by the committee on S. 50, of which I am one of the cosponsors.

SIMILARITY TO UTAH'S HISTORY

Hawaii's long, long record of knocking at the doors of Congress for admission as a State struck a most responsive chord in my memory of the efforts on behalf of my own State. For 40 long years the people of the Beehive State sought statehood, and on six separate occasions the Congress denied full equality to them. It was not until 1896 that Utah was finally admitted.

Hawaii, of course, has waited even longer and has petitioned the Congress even more often than did Utah. She became an integral part of the United States in 1900, when the people of Hawaii became American citizens and the Constitution of the United States was extended to her. Beginning in 1903, the Territory, through its popularly elected legislature, has petitioned Congress for statehood on 17 different occasions. Since 1920, no fewer than 66 bills have been introduced in successive Congresses providing for statehood.

STATEHOOD PETITION SIGNED BY 120,000

The legislature's actions have, of course, reflected the desire of the people of Hawaii. In 1954, I recall from my study of the records, the elected delegate from Hawaii and the Governor of Hawaii presented to the Vice President of the United States a statehood roll of honor signed by almost 120,000 citizens of Hawaii exercising their constitutional right of petition to Congress. This gigantic honor roll—it comprises a half-ton of newsprint—was a simply worded petition for immediate statehood for Hawaii. Some 120,000 citizens took the time and the trouble to go to a central place and sign this petition; and often they had to wait in line, sometimes for a long time.

The House and Senate Interior and Insular Affairs Committees have been most industrious and thorough in their inquiries into Hawaii's readiness for statehood. The record on the question comprises more than 6,600 printed pages of testimony and exhibits, as I know from my efforts to learn the facts and their significance. More than 850 witnesses have been heard in the Territory and in Washington. Seven of the hearings have been held in Hawaii. At least 12 reports have been made, all but one of them, I believe, favorable to statehood.

The question of admitting Hawaii to statehood has been longer considered and more thoroughly studied than has any other statehood proposal that has ever come before Congress. Thirty-six States have previously been admitted

to the Union by action of Congress; yet in no single case, not even that of Utah, has there been such a thoroughly careful study of the qualifications of the applicant as in the case of Hawaii.

A more direct link between Utah and Hawaii is the recent dedication at Laie in Hawaii of a \$3 million college sponsored by the Church of Jesus Christ of Latter Day Saints. That church is one of the most vigorous and rapidly growing churches in the Hawaiian Islands, and the dedication of the new college symbolizes its vigor and growth there.

THE PEOPLE OF HAWAII

However, Mr. President, the aspect of Hawaii that has impressed me the most in my studies on statehood is the people of Hawaii. I heard it stated during our committee hearings that the more than 600,000 American citizens of Hawaii should not be admitted to stand on a basis of equality with other American citizens in the 49 States because some of them had ancestors that were non-Caucasian. More than 85 percent of the people of Hawaii are native-born American citizens, educated in Hawaii's American school system—which is outstanding in all respects—and are thoroughly imbued with the principles of Americanism and democracy. They know no loyalty other than that to America. They proved that loyalty, indelibly, on the bloody battlefields of Europe and Korea, and in their peacetime services to their community and their fellow citizens.

Mr. President, at our committee hearing one of the outstanding witnesses was an American of Japanese ancestry, Mike M. Masaoka. Mike and I attended the University of Utah together, and I know of my own knowledge what a sincere, thorough-going American he is. For the benefit of the Members of the Senate, I should like to quote from Mike's statement before the committee. He said, in part:

First, as to Hawaii's population of preponderantly non-European ancestry, we submit that this is one of the most potent arguments for—and contrary to those who insinuate otherwise, not against—statehood.

The harsh realities of this troubled, tension-filled world are such that the destiny of free men and of free nations, including our own, may well be determined by the two-thirds of the world's population that inhabit the so-called Pacific Basin.

Both the Soviet Union and Red China are cognizant that the balance of power lies in this vast area, and they are systematically attempting to win the minds and the hearts of men with their economic, military, and psychological weapons.

There is an old newspaper saying that one picture is worth a thousand words.

GOOD FAITH DEMONSTRATED

The Communists have much to say, and more to promise, to the restless peoples of the Far East who, stirred by the spirit of nationalism, are yearning to break the bonds of colonialism and to gain acceptance and dignity among the nations of the earth.

Thus far, we have demonstrated our good faith and our belief in the self-determination of peoples. We granted independence to the Philippines as we promised. We helped reconstruct and rehabilitate defeated Japan along democratic principles and then restored her sovereignty. We made the major contribution to the defense and the existence of free Korea. We are responsible

that a free China continues to survive. We have bolstered the fighting forces and the economies of southeast Asia with our foreign aid.

While on one hand we have demonstrated our good will toward those of Asian ancestry, on the other we have continued to deny equality of status and have discriminated against an integral part of our Nation, an incorporated territory for more than 60 years, whose voters overwhelmingly time and time again expressed their determination to be full-fledged, participating citizens of the United States.

To the millions of dark-skinned people who are the most numerous of the earth's peoples, regardless of our explanations, the only reason they understand to deny statehood to Hawaii is because there are so many persons of Asian and Polynesian ancestry resident there. This apparent discrimination is emphasized by Alaska's admittance last year into the sisterhood of States, leaving Hawaii as the only remaining incorporated territory in our country.

DEMOCRACY IN ACTION

The grant of statehood to Hawaii, with its many persons of Japanese, Polynesian, Chinese, Korean, Filipino, and other ancestries at this time would—in our opinion—be a positive, constructive step in our efforts to prove that our practices live up to our professions.

To our mind, more than any other single act that might be undertaken by this Congress and Government, statehood for Hawaii would be the picture of democracy in action that will offset the thousands of words poured out by the Communist hate-mongers against us.

Hawaii, already a meetingplace for the East and the West, by its very location as the crossroads of the Pacific, could—and should—be our living showcase of democracy.

Indeed, at the present time, thousands of students annually from all of free Asia are invited by our Government to come to Hawaii to study not only our way of life but also our methods of production.

HAWAIIANS FULFILL ALL OBLIGATIONS

One can easily imagine what some of these students must think when they learn that, though Hawaiians pay taxes and fulfill all other obligations of citizenship, they—like so many of their revolutionary fathers on the mainland more than 183 years ago—cannot vote for their own representatives, or executives, or judges. Once Hawaii becomes a State, however, these students would better appreciate the meaning of democracy and would be better able to witness it in action. Then, on their return to their respective homelands, they could better preach the gospel of freedom and equality.

If Hawaii is admitted to statehood, the peoples of Asia particularly would know that persons of their own ancestry are able to participate fully and successfully in the democratic system. Such visible knowledge would give them assurance that this way of life is practical and appropriate for them, too.

Moreover, it will give to the United States and to the free world a new citizenry which, by its very background, culture, and feeling, is best qualified to explain our ideals and our objectives to the peoples of Asia and to interpret for us the hopes and aspirations of most of the world's population. Indeed, considering that we are least informed about these peoples, Hawaiian Americans who trace their ancestries to the new nations of Asia could render our country an invaluable service in establishing mutual understanding and comity.

DISCRIMINATION INCONSISTENT WITH NATIONAL SECURITY

Mr. President, I concur most heartily in Mike Masaoka's testimony. Surely

the world of 1959 is not a world in which it is consistent with our national security—to say nothing of the moral and spiritual values at stake—for us to relegate to a secondary status 600,000 American citizens who have met each and every one of our historic tests of readiness for statehood because some of them have non-Caucasian ancestors.

Mr. President, I urge approval of S. 50 as reported by the Senate Interior and Insular Affairs Committee so that we may show all the world that the United States practices what it preaches in the way of democracy and self-determination for its own citizens, as well as supporting such principles elsewhere in the world.

Mr. CARROLL. Mr. President, it is quite clear to me that the Senate of the United States will soon grant statehood to the Territory of Hawaii.

At the outset, I think, we ought to commend the men who have through the years made the great fight for statehood for Hawaii. I observe sitting in the Chamber of the United States Senate today, the Delegate in the House of Representatives, from the Territory of Hawaii [Mr. BURNS], whose courage, vision and foresight have contributed in large measure to what I hope will be the passage of the bill by the Senate and what I am informed will be passage of the bill by the other body very soon.

I also wish to commend the able and distinguished Senator from Washington [Mr. JACKSON], the chairman of the subcommittee, and the Senator from Idaho [Mr. CHURCH], who a short time ago addressed this body in a magnificent speech, outlining the activities in Hawaii of a group of independent Senators not long ago and likewise the recent activities of a very fine House committee, under the able leadership of Representative LEO O'BRIEN, of New York, ably assisted by Representative SISK, of California, and Representative BERRY, of South Dakota.

Mr. President, the able and distinguished Senator from Idaho and I, as members of the Senate Committee on Interior and Insular Affairs, visited the Hawaiian Islands in November to determine whether, in our opinion, that rich Territory was ready for statehood.

After our inquiry and talking to many persons in all walks of life; investigating Hawaii's industry and commerce, its potentialities and its important role in the economy of the Pacific, we concluded there is only one answer.

Hawaii should be granted statehood and at the earliest possible moment.

I feel we can no longer delay in adding this 50th star to our flag and still hold up our head in the free world.

The people of Hawaii want statehood. They are prepared to assume all the obligations of statehood. The admission of Hawaii into the sisterhood of States will be a glorious day for the entire Nation.

We have delayed too long in granting statehood, but further delay would be an imposition we could not tolerate as a nation devoted to the cause of freedom. Statehood will bring equal rights to a group of civilized and mature citizens, who no longer can be relegated to the

role of second-class citizens. They have earned and deserve the full rights of citizenship with a voice in their own Government. They pay taxes, they furnish wealth to the United States, and they deserve all the rights and privileges which statehood will bring.

In World War II, volunteer units from Hawaii showed their patriotism and courage. They fought valiantly as Americans. In fact, the 442d regiment from Hawaii was the most decorated regiment in World War II. Again in Korea they showed they were ready and willing to give their lives for the United States of America.

We cannot do less than grant statehood to the patriotic and sincere citizens of the Hawaiian Islands who have been working to that end for many years.

I would emphasize that granting statehood to Hawaii would give us a tremendous lift in the eyes of the world, especially the Asian nations, who look with scorn upon our professions of freedom so long as we retain Hawaii as a colonial possession.

Any further delay in granting statehood will have serious repercussions in the Far East. I say that to live up to our American ideals, we must grant statehood, and at once.

Hawaii is one of the most delightful places in the world. It has a climate without great extremes. Flowers and plants grow in profusion, there are vast expanses of beaches, towering mountains, waterfalls with running streams. Hawaii is one of the near approaches to paradise on this earth. Millions of dollars have been invested in resort hotels and in making Hawaii a visiting place for people from many lands.

It also is a land of vast plantations, of industry, of shipping and business enterprise. It is not merely a playground, and it does not take too long a visit to realize the wealth and industry which abound in the beautiful galaxy of islands.

Moreover, it has a great resource in the intelligent and progressive citizens who call it home. These people have an earnest desire for statehood for Hawaii. They cannot see why this Nation—supposedly devoted to assuring equality and justice to all—has so long delayed in granting statehood.

Few people realize the extensive area which makes up the group of islands. They do not realize the vast amount of wealth these islands pour into the economic life of our Nation. It is not merely a land of glamour and hula girls.

One visit to the islands will dispel the idea that it is only a "never-never land" dependent upon tourists for its existence. Nothing could be further from the truth, for it is a land of industry, of adequate transportation, of modern agriculture, bustling business, and huge office buildings.

There is no discounting that Hawaii is becoming increasingly important in the trend of world developments and international power. The islands hold the key to the stability of a vast area. We cannot afford to fumble again and still face up to our responsibilities as a world

power. There has been too much delay already.

I talked with many persons on my recent trip to the islands. Nearly all earnestly desire statehood. It seems to me there is no legitimate excuse for continuing Hawaiian colonialism. There is no reason for denying the people their full rights as citizens.

I desire again to point out that granting of statehood would help us in the present cold war, and the fact that Hawaii has been denied statehood is having serious repercussions while we seek world leadership. Colonialism can no longer be justified in this age, and the sooner we grant statehood to Hawaii the sooner we shall get away from the stigma of harboring colonialism.

Our relations in the Far East are becoming increasingly important. We are justly criticised because of our treatment of Hawaii. The islands are at the crossroads of the Pacific, and when Hawaii is admitted as the 50th State we will gain a tremendous lift in our relations with the other nations in the Far East.

Last fall a subcommittee from the House also made an investigation of Hawaiian statehood. This group, headed by the able Representative LEO W. O'BRIEN, of New York, went into all phases of the question.

We, all of us—

The report says—

saw and met in Hawaii an intelligent, gentle, loyal people of whom our Nation should be proud.

I also reached this conclusion, and with the finding "calmly, and soberly, we urge the 86th Congress, as soon as possible, place in the flag the 50th star called Hawaii."

While in Hawaii the subcommittee held hearings, heard hundreds of people, and carefully studied every aspect of the statehood problem. It investigated the claim that Hawaii might possibly be dominated by Communists and found it was a claim without foundation. That also was my conclusion.

I can repeat what the Commission for Hawaiian statehood says:

Hawaii is a Pacific outpost of the American way of life, a window on our freedoms. It is a showcase of democracy * * * proof that the people of the East and West can work together for the good of all under the flag of freedom.

Today, statehood for Hawaii is an ethical rather than a political question.

By embracing Hawaii as a State, the United States would advance three bold steps closer to victory in the cold war against communism in the Pacific and Asia.

1. Bolster Hawaii's role as our defense outpost in the Pacific.

2. Make Hawaii a center where the people of the Pacific basin could study and learn our best American traditions.

3. Demonstrate dramatically that the United States both cherishes and practices the democratic ideal that her citizens stand equal before the law regardless of color or creed. The example of a State of Hawaii would shine in the Pacific for half the world's people to see and to compare with the empty promise of equality held out by the Communists.

From my visit I am confident all those statements are true. But if we deny the hopes and ambitions of these loyal and

patriotic citizens the whole Nation will suffer. It will be a blow to our hopes of world peace and security.

Commonsense and fairness demand early approval of Hawaiian statehood. When it is granted we can rejoice that we have shown millions in the world we uphold the causes of justice and equality.

Since my recent trip to Hawaii I feel deeply about the importance of Hawaiian statehood. I am firmly convinced that Hawaii should become the 50th in our sisterhood of States and that every day we delay is injurious to our entire Nation. I hope the question can be brought to a vote and this Territory of Hawaii be given statehood at the earliest possible moment.

Mr. KEATING. Mr. President—

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The Senator from New York.

Mr. KEATING. Mr. President, I rise to add my voice to those who strongly favor granting statehood to Hawaii. I am convinced that passage of the measure before us will be in the best interests of the people of our Nation as well as the nearly 600,000 Americans who today reside in the Territory of Hawaii.

Let there be no doubt about it: By every traditional yardstick, Hawaii is ready, willing, and able to assume the duties and responsibilities of statehood. She has passed with flying colors the time-honored tests for entrance into the Union. Hawaii has demonstrated conclusively, over the years, full respect for the ideals of democracy. The people of the Territory have expressed an overwhelming desire to join the Union. And Hawaii has exhibited an economic development adequate to carry the financial burdens incumbent upon a State.

The time for study of this proposition is over. The issue of Hawaiian statehood is more than 100 years old. Scores of bills embodying this ideal have been introduced in Congress and debated at length. Dozens of hearings have been held by committees of Congress.

Bills granting statehood to Hawaii have passed the House four times in recent years. Every time, however, this body has proved to be the stumbling block. This year I am confident we will not stand in the way of simple justice and honest progress. We can, and will, pin the 50th star on the flag of the United States.

Mr. President, those who have visited the islands can testify at first hand to their beauty, qualities, and potential. The people, drawn from many racial backgrounds, combine a love for America and its principles with a rich heritage born of ancestors from many lands.

While this land is gifted with a unique native culture and lush natural beauties and resources, Hawaii is not merely an enchanted "never-never land." It has all the earmarks, all the energy, all the drive, of a fast-moving, fast-developing, modern American community.

When one meets the people of Hawaii, when one sees their way of life, when one experiences the every day happenings of life in the islands, one comes to the realization that the islands are little

different from any average American State. The people share the same ideals, suffer from the same problems, and work for goals in common with the 49 American States.

Yet, after more than 50 years of living as Americans, working as Americans, thinking as Americans, acting as Americans, and dying as Americans, Hawaiian residents today are denied the full privileges of first-class citizenship. These fine people deserve the riches which can come only with statehood and its resultant dignity and prestige.

Mr. President, it is time that statehood—for which Hawaii has worked, dreamed and sacrificed—was granted. I find it hard to understand how anyone who has objectively considered all the factors involved and who has studied at length the evidence on this subject, can continue to oppose Hawaiian statehood.

Mr. President, the issue of the non-contiguity and distance of Hawaii has been raised. I find that argument without substantial basis in fact. In the first place, the easy acceptance of Alaska as the 49th State and the lack of problems of communication and transportation in that case argue strongly against this point of view.

Clearly, transportation to and from Hawaii is much more frequent, easier, and often faster than transportation to and from Alaska. The weather factors which make sea and air connections with Alaska uncertain are not as formidable in the case of Hawaii. Clearly, the argument that Hawaii is too far away to be a State is just plain obsolete in this jet age of speedy, efficient, and dependable transportation and communication.

Opponents of Hawaiian statehood have also raised the question of the effect of the admission of a 50th State on the power of Senators from the more populous States. It has been contended that further additions to the membership of both bodies of Congress will dilute unfairly the power of the more thickly populated sections of this Nation.

There is certainly some truth to these statements. As a Senator from the Nation's most populous State, I would presumably be one most likely to suffer. But such a prospect dismays me little. It appears to me manifest that the simple justice and moral obligations involved, as well as the clear fact that Hawaii is fully qualified for statehood, outweigh any arguments which may be advanced about her admission and its effect on proportional representation.

In addition, it should be noted that Hawaii has a population today greater than any one of the States of Vermont, Delaware, Nevada, Wyoming, and Alaska.

It is my firm conviction the United States has a moral and legal obligation to grant statehood to Hawaii. This obligation has been underscored recently by the addition of Alaska to the Union.

Particularly in this body, we must never overlook our historic national principle that government must be based on the consent of the governed and that our failure to grant statehood to Hawaii would raise the serious question of taxation without representation.

On the other hand, we should not forget the good effect the admission of Hawaii would have on our relations with the peoples of the Far East. The grant of statehood would prove to the world, especially Asia, that we practice what we preach. We need the advice and guidance of Hawaiians more and more as we shape our policies and pursue our dealings with the peoples of the Orient.

From the legal point of view, we must bear in mind that our Nation has a historic practice of admitting incorporated territories to statehood when they have achieved sufficient levels of population and development. There are numerous precedents to substantiate this argument.

Another factor favoring statehood for Hawaii is that such a move would surely stimulate even greater economic growth on the islands. Our experience with other newly admitted States gives strong credence to this argument.

Moreover, there is ample evidence that the Federal Government will save money as the new State takes over many of the governmental functions now borne by the United States. At the same time, the burden of the average taxpayer in Hawaii will undoubtedly be increased with the onset of statehood. It is interesting to note that this factor has apparently not deterred native support for the statehood movement.

There have been repeated and serious charges that there are extensive Communist influences on the islands. I would be less than frank if I did not say that this proposition has caused me a good deal of worry during the years when Congress has considered Hawaiian statehood bills. I would never be party to any action which might in any way give aid and comfort to this ruthless band of atheistic expansionists.

However, Mr. President, I am convinced that the issue of communism in the islands should not be a factor in this debate. On the basis of the evidence I have examined, we need not fear that communism is any greater a menace in Hawaii than in other parts of the United States.

Thus, while I feel we must ever be on the alert against communism, in all its subtle ways, shapes, and fashions, I think this aspect has been largely overrated with respect to Hawaii. While Communists do exist in the Territory, they no more control it than they do the mainland. There is ample evidence the people of the islands abhor this evil challenge as we do, and are meeting it as capably and with as much vigor as are any of the 49 States.

The people of the Territory have repeatedly rejected the Communist philosophy and have turned back every attempt of the Communists to influence their government. They have written into their proposed State constitution a broad prohibition against any Communist holding public office.

In any case, it is plain to me that admission of Hawaii into the Union would strengthen, not weaken, the Federal Government's power to fight whatever vestiges of communism there may be on the islands. As a matter of fact, under

the Supreme Court's Nelson decision, which I hope this Congress will correct, the Territory of Hawaii—like our States—can do little in the field of anti-subversive activity. Certainly, admission of Hawaii to statehood, no matter what the decision of Congress on Nelson case legislation, will enhance the arsenal of tools available to fight all forms of subversion on the islands.

There is one other issue which has been raised against statehood, which I feel constrained to discuss. That is the specious objection to certain racial characteristics of the population of the Territory. I think it is entirely out of keeping with the American traditions of equality and acceptance that this argument should even be raised. That it should be seriously pressed in some quarters disturbs me deeply.

Let us put the cards on the table. The largest single population group on the islands is Japanese, and there are in addition many people of Filipino, Chinese, and Hawaiian ancestry. The Caucasian segment of the population amounts to about 20 percent of the total.

Opponents have argued that the addition of these racial strains to our Nation would bring adverse effects on our political, social, and economic standards. They have erected one big bogeyman, or strawman from this issue, which I feel has no basis in fact or fancy.

To accept the contention that the addition of these new racial strains to the Union would upset any kind of a present "balance" flies in the face of everything I have been taught to believe about this great Nation of ours. It contravenes directly every ideal of our democratic form of government. It presupposes that there is some kind of racial limitation set on being an American. I cannot accept that argument.

American citizenship belongs to those who earn it. We are not part of any elite club, with powers to exclude people just because of the color of their skin or the nature of their racial origins.

It is one of the unique qualities of our national fabric that in this country men of all races, all creeds, all national origins have come together here to live in a land dominated by principles of equality and justice, however imperfectly those ideals have been realized in some quarters.

Finally, those who would cast aspersions on Hawaiians because of their largely non-Caucasian nature, are in effect besmirching the memory of those islanders of every background who have proved their loyalty to America by fighting and dying for our country on equal terms with men from the mainland.

Actually, a large majority of residents of the Territory are native-born Americans. The accepted language is English, and all functions and business—government and private—is conducted in English.

Mr. President, the recent admission of Alaska to the Union, in addition to adding impetus to the Hawaiian statehood movement, also increases the arguments for the island. Admission of Hawaii as a State will raise fewer governmental problems because Hawaii has had a greater share of self-government over

the years than has Alaska. Since there has been less direct Federal action and supervision in Hawaii than in Alaska, the process of adaption to statehood should be even simpler for Hawaii.

Mr. President, this Nation has grown great through the infusion into the national bloodstream and addition to the national strength, of new ideas, new energies, new talents, and new outlooks from newcomers to our shores. Historically, such stimuli have come from abroad, but we are presented in the bill before us with an opportunity to infuse new spirit into America by the simple means of admitting Hawaii as a State.

Mr. President, statehood for Hawaii is sound. It is logical. It is just. Let us, today, make possible the addition of that 50th star to the American flag.

Mr. BARTLETT. Mr. President, I urge the prompt enactment of S. 50, to grant statehood to Hawaii. I know from personal experience the frustration felt by the people of Hawaii when they do not have the full rights of U.S. citizenship, with all the privileges which go with that high status.

For many years I have worked closely with the Delegates to Congress from Hawaii. Both the former Territory of Alaska and the Territory of Hawaii have faced similar problems in their efforts to attain statehood.

When the Congress of the United States, after long and careful consideration, conferred full statehood to Alaska, a dedication to the ideals of our country surged in the hearts of our people. Spontaneous demonstrations of enthusiasm for our having attained statehood were in evidence everywhere in Alaska.

It is difficult to express the meaning of full citizenship to those who have always had that privilege, but it is the hope of the people of Alaska that our sister State in the Pacific, the State of Hawaii, will now have that privilege and take her place in the Union.

The die was cast for Hawaii, when Alaska was admitted. Hawaii now is the only incorporated Territory of the United States and the only remaining area which has fulfilled the requirements of statehood.

Throughout our history three standards have been required for admission of a territory to statehood:

First. That the people of the Territory are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government.

Second. That a majority of the electorate express a desire for statehood.

Third. That the new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

Hawaii is fully qualified in all these respects. The many congressional investigations which have been held, both in Hawaii and in Washington, provide ample testimony on all facts of life in the islands. I do not intend to go into the statistics which have been gathered together to prove that Hawaii is qualified as a State. The committee report before you gives these.

The people of Hawaii are thoroughly American. The New England missionaries who went to the islands in 1820 established schools and churches, and instilled in the children the American traditions and the ideals of American democracy. These teachings have been carried on through the schools and the homes, and today the population of Hawaii is as American as apple pie. Their records of patriotism are the envy of all of us.

The requirement that a majority of the electorate desire statehood has been satisfied on two separate occasions in the past. The electorate voted 2 to 1 for statehood in 1941. Later, in 1950, the proposed constitution of the new State of Hawaii was submitted to the people and the vote was 3 to 1 in favor. The bill before us calls for a plebiscite on this question by the people of Hawaii before statehood becomes effective, so the people of Hawaii will once more have the opportunity of expressing their sentiments regarding statehood.

As to the next criteria, Hawaii does have sufficient population and resources to take her place in the American economy. She has always paid her proportionate share of the cost of the Federal Government and ably supports her own government. A study of the records reveals that there is no doubt but that Hawaii meets this third standard for statehood.

The Board of Health estimate of July 1, 1958, shows the population of Hawaii to be about 582,000, more than several of the present States. Territorial tax revenues for the last fiscal year amounted to more than \$122 million. Federal taxes paid to the U.S. Treasury last year amounted to \$166,300,000 which exceeds the amounts paid by 10 of the mainland States. The 1958 per capita income exceeded that of 26 States. Surely this indicates that Hawaii is well able to assume the full responsibilities of statehood, both to the Federal Government and to its own local government.

Only through statehood can the citizens of Hawaii attain the greatest of all assets, that of full suffrage—the right of an individual to express himself at the polls by electing officials who will carry out the wishes of the majority of the electorate. Hawaii, as a Territory, elects its own territorial legislators, but it has no voice in the Federal Government, as its only representative in Washington is a nonvoting Delegate in the House of Representatives. But never has there been an instance when the people of Hawaii have not met all the obligations of the Federal laws. They pay full Federal taxes, although they have had no part in making tax laws. When their young men were called into the armed services of the country, the response was tremendous, even though the citizens had had no part in the enactment of the Federal laws for this purpose. There has never been any question but that as American citizens they were bound by all the Federal laws. And they would have it no other way. They are proud of their American citizenship but they should be entitled to the full rights of suffrage in order to have a voice in the Federal Government.

Statehood will bring them the right to elect their own governor and lieutenant governor, who will be responsible to the electorate and not to the administration in Washington, as at present. Appointment to the judicial bench will no longer be made from Washington, but will be by officials of the new State who are directly responsible to the people.

Hawaii has her problems, just as Alaska has, and Maine, New York, California, but she can meet these as a State, just as all the other States do. It seems only a matter of simple justice to give her the rights of statehood.

I have dwelt mostly on the benefits which will accrue to the citizens of Hawaii with the granting of statehood, and will leave to others to point out the effects of such action on our world policy. Hawaii is living proof that democracy as advocated by the United States affords a solution to a major problem facing the world.

Mr. President, I should like to make two comments of a personal nature.

I only wish my friend who served Hawaii so ably and so long as Delegate in Congress could be here to witness what surely now will be the planting of the Hawaii statehood banner on the highest summit. I refer, of course, to Joseph Rider Farrington, who died in office and whose death was surely hastened by the intensity and degree of his efforts to bring statehood to the people of his island territory.

Finally, Mr. President, I wish to repeat here what I said in my testimony before the Senate Interior and Insular Affairs Committee, and elsewhere. That is, I believe it is most doubtful if Alaska would now have statehood or if Hawaii would be so close to it if it had not been for the courageous, statesmanlike position taken last year by Delegate JOHN A. BURNS, of Hawaii, a man for whom I entertain personal affection and who has served so effectively his beloved Hawaii. In the spring of 1958 it was plain to all who would see that legislative action could be expected for Alaska one way or another but that the Hawaii bill was not coming up. Delegate BURNS took his stand on the proposition that if Alaska were to be added, Hawaii could expect affirmative action in 1959. And now his judgment is being confirmed. Heavy pressures—very heavy pressures, indeed—were placed upon him from Hawaii to demand that Hawaii and Alaska statehood proposals be joined. This, very positively, would not have succeeded and might have resulted in Alaska's being downed, too. But many in Hawaii did not understand this. The popular course, the political course, would have dictated a yielding to these demands. Fixed by an iron determination, Delegate BURNS stood his ground. When he returned home after Alaska became a State, to explain all of this to his constituents, they agreed with him. So, thanks to JACK BURNS in particular, Hawaii is about to become the 50th and, I believe, the last State of this great Union of States. We cheechakos from Alaska welcome the cheechakos soon-to-be from Hawaii.

I urge my colleagues to vote for the Hawaiian statehood bill.

Mr. ALLOTT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Alaska yield to the Senator from Colorado?

Mr. BARTLETT. I am glad to yield to my friend from Colorado.

Mr. ALLOTT. I wish to compliment the Senator on his remarks; but more than that, I think we all owe him a debt of gratitude for his very wonderful tribute to Joe Farrington. His remarks with respect to Joe Farrington are certainly true. He probably did hasten his own death by the struggle he put up for Hawaiian statehood. It seems to me that it is peculiarly appropriate at this time that we do not forget such men as Joe Farrington, who for many years made the fight which we hope to bring to a culmination today.

Mr. BARTLETT. I agree with the Senator from Colorado. Joe Farrington was a great Hawaiian and a great American.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection; it is so ordered.

Mr. EASTLAND. Mr. President, we are moving toward action on the pending bill in an atmosphere of almost hysterical excitement. We are yielding to propaganda largely promoted for the benefit of those whose ends would be served.

I do not mean to say that all who support statehood for Hawaii have a selfish interest. Many good, patriotic people support Hawaii's admission to the Union. However, there are those who do have a selfish interest, including the Communist world conspiracy; and it is that selfish interest alone which will be served by the grant of statehood to Hawaii, which is not in the national interest of this country.

I understand that my distinguished friend, the Senator from Colorado [Mr. ALLOTT] made the statement that the Bridges union, the ILWU, must be all right, because if it were Communist-dominated, the U.S. Government would have proceeded against it, or against its leaders.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. ALLOTT. I did not say that Mr. Bridges' union was all right. That is reading into what I said something that is not the way I said it. I said the means were there. I will quote what I said, if the Senator wishes me to do so.

Mr. EASTLAND. That is what I should like to have the Senator do.

Mr. ALLOTT. Speaking of the late Senator Butler's findings I said:

Senator Butler's findings are substantiated by reports from the FBI, naval, and military intelligence. The FBI in 1953 stated that at no time were there more than

160 Communists in Hawaii. The 1951 FBI report listed only 36 known Communists.

Today it is estimated that between 40 and 60 Communists are left in all the islands. This is 40 to 60 out of a total population of close to 635,000—at the most, Communists number only 1 out of every 10,000 people in Hawaii.

Mr. EASTLAND. What did the Senator say about the union? That is the point.

Mr. ALLOTT. I shall read three paragraphs on that point:

The Communist issue—which involves the question of whether certain alleged Communists or Communist-front organizations could in fact control Hawaii or Hawaiian elections—should be faced squarely here on the floor today. There are nearly 200,000 persons in Hawaii who are members of the labor force. Approximately 25,000 are members of the union alleged to be Communist-dominated. Only a few—a very few—of these 25,000 have ever been accused of being Communist sympathizers or Communist Party members.

If this had been proven in the past, the Federal Government having the authority, facilities, and power to deal with Communist-infiltrated unions, would have taken the necessary steps to strip the unions of their collective-bargaining rights.

Such Federal action would free local employers from recognizing these unions in contract negotiations and also permit union members to expel their Communist leaders. No action to this effect has been taken by Federal authorities.

Mr. EASTLAND. Such action as could be taken was taken. That is the entire point. Bridges was convicted of perjury on the ground that he had lied when he said he was not a Communist Party member. The leaders of his union were convicted. The Supreme Court of the United States ruled in a case, the name of which I have forgotten, although I believe it was the Yates case. When the Bridges case came up on appeal in the circuit court of appeals on the west coast, the court said, in effect, "We must turn these people loose, because the Supreme Court has made a shambles of the Smith Act."

An attempt was made by the Government of the United States to strip a union of its bargaining rights, because its officials had filed false non-Communist affidavits. That was stopped by the Supreme Court, on the ground that the only person the Government could move against was the signer of the false affidavit, not the union.

Mr. ALLOTT. That was back in the 1940's, was it not?

Mr. EASTLAND. I do not remember the date. It is absolutely immaterial what the date was. The fact is that the U.S. Government has done all it can. The fact is, also, that the economy of Hawaii is Communist controlled.

Mr. ALLOTT. Would the Senator say that any action had been taken by any branch of the Government in the past 10 years?

Mr. EASTLAND. I say I do not remember the date. The date is immaterial. However, action was taken.

Mr. ALLOTT. I believe the date is important.

Mr. EASTLAND. It is a fact that this union is Communist dominated, and that the United States Government has gone

as far as it can go. There are some very strange influences in the Supreme Court of the United States. In this instance, as in all others, when it comes to communism, the Court throws the cloak of protection around the Communist conspiracy.

Mr. ALLOTT. Will the Senator yield further?

Mr. EASTLAND. I yield.

Mr. ALLOTT. I should like to say that I throw no cloaks around communism, no matter where it may be.

Mr. EASTLAND. I certainly would not want to leave any such implication about the Senator.

Mr. ALLOTT. I know the Senator from Mississippi would not do so. I wish to say further that at one time, within the past 6 years, the Hawaiian Legislature showed by its action that it did deal with a strike there, and dealt with it very forcefully and in a very forthright manner; in fact, in a way we have not employed in this country.

Mr. EASTLAND. And then they took over the Territorial legislature. The Speaker of the House showed his subservience to the Communist Harry Bridges by sending his gavel to the Communist Harry Bridges at the convention on the west coast.

Mr. ALLOTT. I may say to the Senator that he is speaking of something of which I have no knowledge.

Mr. EASTLAND. If the Senator knew the conditions in Hawaii, he would be the last man in the Senate to vote to admit Hawaii into the Union. I am glad we are educating the distinguished Senator on the danger of admitting that Territory into the Union.

Mr. ALLOTT. I made one trip to Hawaii for the purpose of informing myself on conditions there. I have numerous personal acquaintances in Hawaii with whom I have discussed this question at great length. They did not come to the same conclusion the distinguished Senator from Mississippi has reached.

Mr. EASTLAND. The Senator speaks about acquaintances in Hawaii. I have been there. I took the Internal Security Subcommittee of the Senate there. As I recall, there were two Democrats and three Republicans on the subcommittee who went to the Hawaiian Islands with me. Any number of people who have led the fight for statehood will tell the Senator off the record: "That is the very last thing we should have, but we must do it for political reasons." The fact remains that a duly constituted subcommittee of the Senate, established by Senate resolution, which has gone into all the ramifications of the subject, has submitted a unanimous report that the Communist conspiracy has entirely too much influence in the Hawaiian Islands. Later I shall read that report. It is bipartisan. It states the facts.

All the pleas for Hawaiian statehood are emotional in nature. Our generosity is appealed to on the ground that Hawaii has earned statehood. Our sense of justice is appealed to on the ground that if Alaska can be a State, Hawaii has a right to be a State. We are cajoled with vistas of blue waters and white sands

and waving palms, which, it is subtly suggested, will become more proudly ours if Hawaii attains statehood. We are cozened with the assertion that the people of Hawaii are all good Americans, just like the rest of us. I certainly believe that the vast majority are good Americans, as we are. However, the economy of the islands, there can be no question, is Communist controlled, by a few Communists at the top who were convicted by the U.S. Government, and turned loose by the Supreme Court. They have control of the economic life of the islands.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. CARROLL. My distinguished colleague from Colorado, if I may refresh his memory—I refer to a year ago or so—had some reservations about communism in the islands. He has had an opportunity to examine into that question, as has been the case with other persons in the past. I have read his very excellent speeches on the subject. Other Members of the Senate have gone into the question. Members of the House have examined into the question. We have gone to the FBI. We have gone to the police department. We have gone to the Republican newspapers. We have gone to Republican businessmen in every walk of life.

I may say to the distinguished Senator—

Mr. EASTLAND. What is the question?

Mr. CARROLL. The question is this: When the Senator makes the assertion that there is a Communist conspiracy in the islands, does he really think that that conspiracy is so dangerous that it could injure the Nation?

Mr. EASTLAND. I do.

Mr. CARROLL. If so, why?

Mr. EASTLAND. Because the Communists have influence in electing high public officials. Let me tell the distinguished Senator from Colorado that a duly constituted subcommittee of the Senate, who are just as patriotic and just as nonpartisan as any other Members of this body, went to Hawaii and held hearings. The subcommittee filed a unanimous report in the light of all the facts which were uncovered.

I will not stand here and say that someone slipped up to me and whispered this to me, as statements to that effect have been made. But I can say that the very persons who are the leaders in the movement for statehood will say privately that it is the last thing that should happen. They will say, "We are not ready for it because of the influence of the ILWU."

Mr. CARROLL. Mr. President, will the Senator yield further for a question?

Mr. EASTLAND. I yield for a question.

Mr. CARROLL. The Senator refers to the fact that the Communists have elected high public officials. We found on a recent trip to Hawaii, only a few months ago, that the high officials who were elected are Democrats. There was

a Democratic sweep in the Hawaiian Islands. I myself, in the town of Hilo, in the Hawaiian Islands, spoke both with Democratic and Republican leaders.

Mr. EASTLAND. I shall discuss that matter in a few moments. There are two factions in the Democratic Party in Hawaii. The minority fraction today is Communist directed. This is not solely a Democratic matter, because the Republicans in the legislature lined up with the Communist-controlled Democrats, and overthrew the Democratic organization, to control the election of the speaker and other officials in the Territorial legislature, as I shall show later.

Mr. CARROLL. Mr. President, will the Senator further yield?

Mr. EASTLAND. I yield for a question.

Mr. CARROLL. It has been said by some persons that there is a minority section of the Democratic Party in our own country, but that does not mean they are Communists.

Mr. EASTLAND. Of course it does not mean that they are Communists; certainly it does not mean that they are Communists; but in Hawaii there is a Communist organization. There have been many fifth amendment cases. We showed, even, that Communist propaganda was being put into the school system. We showed that Communist propaganda from the Soviet Union, Red China, and the satellite countries was flooding the Hawaiian Islands under the auspices of the ILWU. I say that that union is a Communist union and has entirely too much influence in the Democratic Party in Hawaii. I shall show that in detail in a few moments.

Mr. CARROLL. Mr. President, will the Senator yield for one further question?

Mr. EASTLAND. I yield for one question; yes.

Mr. CARROLL. Representative LEO O'BRIEN, who is a distinguished newspaperman from Albany, N.Y., and a Republican; Representative BERRY, of South Dakota; and I visited the FBI only a few weeks ago. We asked the specific question: "How many known Communists are in the Hawaiian Islands?"

Mr. EASTLAND. What does the number mean? I ask the distinguished Senator, What is there in numbers? We have seen, all over the world, a small minority of Communists taking over one country after another. In Hawaii, the leaders are Communists who control the economic life of the Islands. That is the point. Whether there be 4, 5, or 50, they have too much power.

Mr. CARROLL. Will the Senator permit me to propound my question? We were informed by the FBI that there were 25 known Communists in the Hawaiian Islands. Now I put the question: Considering the great expanse of area, considering the nature of the population and the nature of the economy, does the Senator from Mississippi think those 25 Communists could form a conspiracy which would injure the Territory of Hawaii if it became a State?

Mr. EASTLAND. I certainly do, because they control the economic life of

the Island. I notice that the Senator from Colorado made no reference to the influential and powerful positions which Communists have in the Island. That is the key to the whole subject. What are their powers? What is their influence? I am very much amazed that the distinguished junior Senator from Colorado did not go into that phase of the question with the FBI.

Mr. President, as I have said, we are moving toward action on this bill in an atmosphere of almost hysteric excitement. We are yielding to propaganda largely promoted for the benefit of those whose ends will be served. I do not mean to say that all who support statehood have a selfish interest; many good patriotic people support Hawaii's admission, but there are those who do have a selfish interest—including the Communist world conspiracy—and it is the selfish interests alone which will be served by a grant of statehood to Hawaii, not any national interest of this country.

All of the pleas for Hawaiian statehood are emotional in nature. Our generosity is appealed to, on the ground that Hawaii has "earned" statehood. Our sense of justice is appealed to, on the ground that if Alaska can be a State, Hawaii has a right to be a State. We are cajoled with vistas of blue waters and white sands and waving palms which, it is subtly suggested, will become more proudly "ours" if Hawaii attains statehood. We are cozened with the assertion that the people of Hawaii are "all good Americans just like us". We are threatened with the prospect of being declared racists if we oppose Hawaiian statehood for any reason at all. As I say, we are confronted at every turn by emotional arguments. But I have not heard anyone tell how the national interest will be served by making Hawaii a State.

But I can tell you, Mr. President, how the Communist interests will be served if we pass this bill.

Mr. President, we are threatened with the prospect of being declared racist if we oppose the bill for Hawaiian statehood for any reason at all. As I say, we are confronted at every turn by emotional arguments, but I have not heard anyone tell how the national interest will be served by making Hawaii a State. I can tell the Senate how the Communist interest will be served if we pass the bill.

Six years ago, I pointed out that in one respect, the proposed Hawaiian Constitution was tailor-made to expedite Communist control of the islands. That constitution provides that a simple plurality is all that is required to elect a Governor of Hawaii. Under that constitution, the person receiving the largest number of votes will be made Governor. In a 2-candidate election, that would be a majority. But suppose there were 3, 4 or more candidates.

With the genius which Harry Bridges and Jack Hall have shown for organizing the workers of Hawaii, and the superb organizing ability of world communism, one can readily visualize what would happen with several candidates running for Governor. Such a situation would be made to order for the manipulation of bloc voters under unscrup-

ulous, ruthless Communist leadership. Harry Bridges and Jack Hall would hold the balance of power.

I state categorically that they hold the balance of power in the Territory of Hawaii today. Let no one think that a Republican Senator will be elected from Hawaii, either.

The Communists of Hawaii cannot show the full strength of their position until the proposed constitution goes into effect, following the grant of statehood. But if statehood is granted under the proposed constitution, never doubt that they will take full advantage of the opportunities thereby provided them.

Given a Communist Governor, or even a Governor who is a Communist captive, the way would be cleared for Harry Bridges and Jack Hall, by manipulation, by intimidation, and by corruption, to send a Communist-controlled or influenced Representative, or two Communist-controlled or influenced Senators, to the Congress of the United States.

It is hard to believe that the United States Senate will fall into such a trap as this. The American people will not gain from the granting of statehood to Hawaii. The Territory will gain nothing. World communism will be the sole beneficiary; and what a tremendous victory it will be.

I cannot say that Communist influence put this provision in the Hawaiian Constitution. I do not know. But it is there.

Is it significant that in January 1950, it was announced that all units of the ILWU had been notified to establish political committees before February 1, and that these committees were to function in connection with the election of delegates to the Hawaii State Constitutional Convention to be held in April 1950, and were to remain intact for the fall elections as well? Is it not likewise significant that in the constitutional convention election, 2 of the 63 offices were held by Richard M. Kageyama, a former member of the Communist Party, and Frank G. Silva, one of the "reluctant 39" who took the Fifth Amendment before the House Committee on Un-American Activities. They were two Communists who helped draft the proposed Hawaiian Constitution.

Another point with respect to the Hawaii State Constitution which has been presented to us for ratification merits attention.

This Constitution includes what has been referred to as the "loyalty oath" provision, though this provision does not in terms require a loyalty oath. What this provision says is that:

No person who advocates, or who aids or belongs to any party, organization, or association which advocates the overthrow by force or violence of the Government of the United States shall be qualified to hold any public office or employment.

Inclusion of this provision in the Hawaiian Constitution is a recognition by the constitutional drafters of the extreme importance of the Communist problem in Hawaii, and is an effort to meet it. Unfortunately, this provision cannot be taken as a guarantee against

either the growth or even the continuance of Communist influence in the islands. It must, rather, be regarded as an abortive effort to deal with the situation.

The reason this is so is that the Supreme Court of the United States has handed down decisions which, when applied to this provision of the Hawaiian Constitution, would appear certain to result in having it declared unconstitutional.

In the Yates case decision, which construes language of the Smith Act which banned the teaching or advocacy of the overthrow of the Government of the United States by force or violence, the Supreme Court of the United States developed the theory of "mere abstract advocacy", and declared such language ineffective against Communist activity not shown to include specific and current "incitement" to action. In more than one case, the Supreme Court of the United States has developed the doctrine of a new First Amendment right, which it has called "freedom of association," and has referred to membership in the Communist party as "a mere matter of belief and association."

It is not the fault of the drafters of the Hawaiian Constitution that this provision against the holding of office by Communists must be considered ineffective. It is the fault of the Supreme Court of the United States. But the fact remains that the provision is, and will be, ineffective.

Furthermore, this situation raises another point: Should we in the Congress approve a constitution containing a provision which, under existing decisions of the Supreme Court of the United States, is unconstitutional?

I do not wish to be misunderstood on this point. I personally favor prohibiting Communists from holding any office, not only in the Government of Hawaii, but also in the Government of the United States or in the government of any State or political subdivision of this Nation. But this is one of the points on which I differ from the majority of the members of the Supreme Court of the United States.

Insofar as this provision of the Hawaiian Constitution might be considered the basis for a loyalty oath—for instance, if in implementing this provision it should be decided to require candidates for office to make a disclosure respecting membership in the Communist Party—the Supreme Court of the United States also has spoken adversely. Similar loyalty oath requirements in California, based upon a comparable California constitutional provision—one dealing, however, not with State officers, but with tax exemption—was invalidated by the Supreme Court only a short time ago, on the ground that such requirements violated the due process of law provisions of the Constitution of the United States.

So the efforts of the constitutional draftsmen of Hawaii to meet the Communist problem through a constitutional provision must be considered as thwarted by decisions of the U.S. Supreme Court, and must be considered also as raising a question respecting ap-

proval of the Hawaiian constitution with this provision in it, since the provision is at variance with the current doctrines laid down by the U.S. Supreme Court.

COMMUNIST FRATERNIZATION

Mr. President, one of the greatest danger signals of the Communist threat in Hawaii is to be found in the toleration of Communists and the fraternization with Communists by many non-Communists, including officials of the government and leaders of civic and business organizations. In spite of the fact that residents of Hawaii who serve on committees with top Communists, who make it possible for insidious Red propaganda to be smuggled into the public schools, through scholarship contests—which was true in 1954—who give financial and moral aid to the Communist Party and Communist objectives, through paid greeting advertisements in the Communist press, and who help give the Communist Party face and respectability in these and many other ways, are doing more harm to their community and to the Nation than they would if they harbored in their homes, bank robbers or murderers, there are many such.

Today, a major drive of Communist activity on the mainland, as well as elsewhere, is toward respectability and acceptance. In Hawaii, social and political fraternization between highly respected leading citizens of the community, on the one hand, and vicious and sinister enemies of our country, on the other, exists to a degree that is unparalleled anywhere on the mainland, and would be incomprehensible here. As long as treason remains respectable in Hawaii, it is going to be difficult to deal with the Communist menace there.

On the point of communism in Hawaii, I shall have a good deal more to say later. At this time, Mr. President, I wish to discuss a question of precedents.

NEW PRECEDENT

Mr. President, it has been said that by the admission of Alaska we have set a precedent which requires that the Territory of Hawaii be made a State. But this is not a fact. The admission of Alaska is not a good precedent for the admission of Hawaii. Making Alaska a State did involve extension of the boundaries of the United State. It did involve the acceptance as a State of noncontiguous territory, but it did not involve going outside the American Continent. Granting statehood to Hawaii would involve exactly the latter.

It is a plain geographical fact that the 20 volcanic islands in the North Pacific Ocean which make up the Territory of Hawaii are not part of the American Continent. No area not a part of the American Continent has ever been admitted as a State. Our very Constitution recites, in its Preamble, that it is ordained and established "for the United States of America." If we admit Hawaii as a State, our country will no longer be the United States of America; instead, it will be the United States of America and the Pacific Islands. Or perhaps, as Mr. Willis Carto suggested in his testi-

mony before the Territories Subcommittee of the Senate Committee on Interior and Insular Affairs, we should then call our country "the United States of Anywhere," so as to be able to retain the initials "U.S.A."

In view of the fact that the Constitution was established for "the United States of America," how can it be extended beyond America without a constitutional amendment? I do not ask this facetiously. I think it is a serious question. There may have been a time when the Preamble to the Constitution was thought to have no force as law, but the general welfare clause, which is part of the Preamble, has long since been recognized as a basis for legislation. How can we deny effect to the declaration, in this first paragraph of the instrument itself, that our Constitution was established "for the United States of America?" Admission of Hawaii as a State would not be following the precedent established by the admission of Alaska. On the contrary, a grant of statehood to Hawaii would be setting a new precedent, one which would plague us through countless years. The precedent we would be setting by making Hawaii a State is the precedent that land or islands unconnected with the American Continent and inhabited by people of radically different backgrounds from those of the majority of Americans are eligible to become a State.

This is the necessary result of our action, if we act to admit Hawaii as a State. And when we have set this precedent, where will we stop? Will we deny statehood to Puerto Rico, upon request? To Panama? To Guam? To the Virgin Islands? And if to any or all of these, why not San Marino, or Ghana, or Cyprus? Panama is in a way more "American" than Hawaii. Puerto Rico, and Guam, and the Virgin Islands, are just as "American" as Hawaii is. And if we are to go outside the American Continent for new States, why stop with the Pacific Ocean or any segment of it?

We are told that the people of Hawaii have a "right" to statehood. We are told that Congress must grant statehood to Hawaii because the people of Hawaii want it. Why, Mr. President, if we accept that argument, and if we establish the precedent of going outside the American Continent and accepting as a State a territory whose inhabitants are as radically different in background from the majority of Americans as are the people of Hawaii, then we shall have to grant statehood to Panama or the Virgin Islands or Puerto Rico, or even Ghana, if the people there want it.

This is the road of empire. We must not take it. If we go down this road, we move toward world government, toward the gradual fading and ultimate obliteration of the idea of American nationality; and there will be no turning back.

Every time we add a new State, we add two Members to this body. How many new States must we add, outside the American Continent before we have a substantial bloc of Senators whose interests are centered outside America? How many decades will it take before we shall

have developed a group of such Senators powerful enough to bring about ratification of a treaty surrendering the sovereignty of the United States to a world government?

I do not ask these questions in a humorous vein. I am serious. This is the direction in which we move when we grant statehood to Hawaii. This is the precedent we set.

Should we move down this road because it is said that the people of Hawaii have "earned" statehood? Mr. President, statehood should never be regarded as a reward. Admission of a new State should always be justified on the basis of the national interest. There is no other basis upon which we may sanction it, in consonance with our duty to act for the best interests of the Nation we serve.

I have said that the granting of Hawaiian statehood will put us on the road to empire. It might be said also that it will put us on the road to colonialism. Once we jump the boundaries of the oceans, and pass beyond this continent, there is no limit to where we may stop. If we accept the Territory of Hawaii as a State this year, what argument shall we have next year against accepting as a State the Island of Formosa, if the people of that island should wish it?

Oh, yes, Mr. President; we would have one argument against that: The argument of national interest. But if the argument of national interest is going to be considered valid at some later date, in connection with the application for admission to statehood by Formosa or Ghana or Puerto Rico or Guam, or any other territory outside of America, why is not the argument of national interest a valid one now? And what national interest will be served by granting statehood to Hawaii?

The answer is, Mr. President, there is no national interest which will be served by granting statehood to Hawaii; on the basis of national interest, all of the considerations are against granting statehood to Hawaii.

If any one of my colleagues who plans to vote for Hawaiian statehood thinks I am wrong about this, and believes he can justify the admission of Hawaii as a State on the basis of the prospective benefit to the national interest which will result, I hope he will tell us for the record how he arrived at that conclusion. I wish I could be sure that no Senator would vote for Hawaiian statehood unless he felt he could justify it on the basis of national interest. If that were the case, I know the Hawaiian statehood bill would be defeated in this Chamber by one of the largest majorities ever registered. The vote might be a unanimous "nay."

COMMUNISTS FIRST FAVORED STATEHOOD

It is significant that the first active agitation for Hawaiian statehood came from the Communists. Before 1936, the Communist Party line was to agitate for Hawaiian independence. In 1936, a top strategy decision was made in Moscow that Communist purposes would be best served by Hawaiian statehood; and from that time on the Communist Party line

was to favor statehood. It was an implementation of this policy decision and this new Party line that the Communist Party of Hawaii was merged with the mainland party in 1936.

If the Communists had thought at any time since 1936 that it no longer served their purposes to work for Hawaiian statehood, we can be sure that the line would have changed again and that Communist support for statehood would have been withdrawn. There has been no such change.

COMMONWEALTH STATUS AN ALTERNATIVE

Mr. President, the alternatives with respect to Hawaii do not lie between granting statehood and maintaining the status quo. If the present territorial status is to be changed, there is another alternative than statehood, and one which has many factors to recommend it. I refer to commonwealth status. I have discussed the benefits of commonwealth status at considerable length on another occasion, and will not labor the point now.

But let me summarize: Statehood would place additional economic burdens on Hawaii, while solving none of its problems. It would increase the present local tax burden, already too high. It would give the international Communist conspiracy additional opportunities for power and prestige in the Islands, and for infiltration of the mainland through or from Hawaii. Furthermore, statehood is a step that, once taken, can never be revoked. On the other hand, commonwealth status would mean a new era of prosperity and economic expansion for Hawaii, giving the islands a future filled with hope and unlimited opportunities. At the same time, opportunities for Communist expansion and infiltration would not be increased, and Congress would remain free to take any emergency steps which might be needed to meet new or increasing dangers from Communist activities in the islands. Between these two choices, therefore, it is clear that in the national interest, as well as for the sake of the islands themselves, the granting of commonwealth status is vastly preferable to statehood.

Every Communist in the islands, and all the puppets of the Communists, are for statehood; they all oppose commonwealth status. They know that growth of Communist power could be checked under commonwealth status, whereas under statehood the lid would be off.

And, if the lid goes off, who will rule Hawaii? The man who rules Hawaii today. And who is he?

Every Senator knows who he is. His name is Harry Bridges. He has been a carrier of the Red bacillus throughout a whole generation. As long ago as 1934, he and his fellow Communist agents threw the people of San Francisco into the convulsions of a general strike. American Communist leaders boasted of the deeds done in that general strike, when they went to Moscow in 1935 to attend the infamous Seventh World Congress of the Communist Internationale. Just last month, Harry Bridges was in Moscow at the time of the 21st congress of the Communist Party, U.S.S.R.

In 1950, a Federal jury found that Bridges had committed perjury when

he swore that he had never been a member of the Communist Party. The conviction was reversed by the Supreme Court, only on the ground that the statute of limitations had expired before the charge against Bridges was brought. But there is no disputing the finding of the jury. There is no disputing the fact that he did commit perjury when he denied that he was a member of the Communist Party. Everything in his record confirms this fact. Everything in his record proclaims that he is a mortal enemy of the Government and people of the United States and the whole free world.

We are being asked today to help stabilize Harry Bridges' power in the Hawaiian Islands. We are being asked to vote Hawaii into the Union as the 50th State, so that men under Harry Bridges' domination may come here and sit in these Halls.

The evidence shows that Harry Bridges is not an ordinary trade union leader primarily concerned with the improvement of the wages, hours, and working conditions of American longshoremen, but that he is an integral part of and the prime mover in international Communist strategy in the transportation field. In the event of a possible conflict between the United States and the Soviet Union, this assumes vital importance to our national security.

In recent months Harry Bridges has been organizing a conference of Communists and left-wing waterfront workers' unions to be held in Tokyo on April 15. Among those participating are the Communist Australian Waterside Workers, the Communist Indonesian Maritime Union, left-wing unions of Japan and Madras (India), and the Communist-dominated ILWU.

On February 13 of this year, in Moscow, Harry Bridges gave a newspaper interview in which he declared that Soviet trade union elections were "more democratic than many American ones."

Said Bridges:

I have studied the activities of the Russian All-Union Central Council of Trade Unions and 23 trade unions and have come to the conclusion that the organization and system of elections in Soviet unions are democratic.

In this respect Soviet trade unions are more democratic than many American ones.

Bridges, who had just completed a week in the Soviet Union as the guest of Soviet trade unions, added that members of the American Federation of Labor-Congress of Industrial Organizations should visit the Soviet Union for "they would learn that everything the worker in America heard about the U.S.S.R. is nothing but lies and slanderous propaganda."

Three days later, Harry Bridges met with union officials in East Germany. Head of the East German group was Rudi Kirchner, secretary of East Germany's trade union organization. After the meeting, Bridges was quoted as having said that his union planned further contacts with the East German unions, including an exchange of workers' delegations.

An illustration of the present-day power of the ILWU in Hawaii is to be found in the formation of a new politi-

cal coalition in the territorial legislature.

This legislature convened in mid-February, with 36 Democrats and 18 Republicans in its house of representatives. It would have seemed logical to expect the Democrats to organize the house. But the Democrats were split into factions. One of these factions was headed by a young attorney named Vincent Esposito. There are 26 Democrats in this faction. The other Democratic faction, with 10 members, is headed by one Charles E. Kauhane, who is part-Hawaiian. This is the same Kauhane who was speaker of the house 4 years ago, and while acting in that capacity won some notoriety by sending a gavel, with his compliments, to Harry Bridges. The gavel was presented to Bridges at the annual convention of the Communist-led ILWU convention in San Francisco, the presentation being made by one of Hawaii's delegates to that convention, identified Communist Newton Miyagi. Incidentally, this was the same Newton Miyagi who last year was elected to the board of directors of Hawaii's chapter of the American Red Cross, and who was a hostile witness before the Senate Internal Security Subcommittee during its hearings in Hawaii in 1956.

Mr. Charles Kauhane, who leads this 10-man minority faction within the Democratic majority in the Hawaiian Territorial Legislature, is currently considered a spokesman for ILWU leader Jack Hall, who was convicted under the Smith Act of conspiring to teach and advocate the overthrow of our Government by force and violence, but who got off the hook by virtue of the Warren Court's decision that such conspiring is no crime.

Like Kauhane, the other members of Kauhane's 10-man minority bloc in the 1958 Hawaiian House of Representatives are known to be closely tied up with the ILWU.

It would have seemed logical that with a two to one majority over the Republicans, the Democrats would have organized the Hawaiian House of Representatives. But what actually happened was that the 10-man Kauhane bloc of Democrats was joined by the 18 Republicans to defeat the 26 Esposito Democrats in their plans to organize the House.

Some Republicans in Hawaii have defended this action. Others have deplored it. There have been some refusals among Republicans to approve on any basis action which made the Republican members of the Hawaiian House political bedfellows of the Communist leadership of the ILWU.

As an indication of the effect of the coalition, I ask unanimous consent that there may be inserted in the RECORD at this point the text of a news story appear in the Saturday Star-Bulletin, of Honolulu, for February 28, under the caption "Coalition Could Let ILWU Rule Labor Committee," and which describes "Kauhane's followers on the labor committee" as "Representatives Yoshito Takamine, vice-chairman, ILWU agent on the Big Island; Pedro Dela Cruz, ILWU agent on Lanai; Akoni Pule, close associate of Kauhane and counted in the ILWU camp; and Oahu's John C. Lan-

ham whose election hinged partly on ILWU support."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COALITION COULD LET ILWU RULE LABOR COMMITTEE

Organization of the Territory's House, at last accomplished yesterday, put pro-ILWU forces solidly in control of the chamber's Labor Committee if the Democrat-Republican coalition extends into the field of legislation.

The organization also left three dissident Democrats minus important committee posts—at their own insistence.

The dissident Democrats, led by Oahu's Representative O. Vincent Esposito, found themselves in the minority on 21 of the 26 house committees, and brickbats began to fly before the ink was dry on the settlement agreement.

The Esposito faction held out until the last minute, it was learned, on the make-up of the labor committee through which all labor legislation—including the ILWU-sought repeal of the dock seizure law—will be channeled.

STRONGLY

As the labor committee wound up, it contains four strongly pro-ILWU Democrats—followers of Democratic Representative Charles E. Kauhane—to three Republicans and two Esposito Democrats.

It was the House Republicans who teamed up with the Kauhane Democrats to beat out the Esposito forces for House control through a coalition that put Maui Democratic Representative Elmer F. Cravalho in the Speaker's chair.

Kauhane's followers on the labor committee are Representatives Yoshito Takamine, vice chairman, ILWU agent on the big island; Pedro Dela Cruz, ILWU agent on Lanai; Akoni Pule, close associate of Kauhane and counted in the ILWU camp; and Oahu's John C. Lanham, whose election hinged partly on ILWU support.

As an indication that not all Democrat intraparty fighting was ended, Esposito himself turned down the chairmanship of the economic development committee in which faction had been strongly interested.

It was learned that Representative David C. McClung, another Esposito man, turned down the vice chairmanship of the youth and general welfare committee and was re-

placed at the last minute by Robert W. B. Chang, a colleague in the Esposito camp.

Representative Thomas P. Gill, closely allied with Esposito, reportedly refused several posts offered him.

The committee memberships as originally announced were amended today to correct errors that, according to the Democratic agreement for proportional representation, had put one too many Kauhane men on the important county and judiciary committees.

FAIRLY FIRM

The Republicans have yet to name a member due them on the education committee, but otherwise the assignments seemed to be fairly firm.

A grievance committee representing the two Democratic factions was to meet today to shift assignments of house employees so that one group's colleagues wouldn't be working for another faction, and it was understood there would be no firings.

NO AGREEMENT

Both the Republicans and the Cravalho-Kauhane faction claim they made no coalition agreement on legislation.

But in a prepared statement issued after the committees were announced, Esposito said:

"We disapprove of many of the chairmanships and we disapprove of the formation of several committees.

"One, for example, in which we have expressed strong disapproval is the structure of the land reform committee. * * *

Esposito said his group had assurances from coalition leaders that the coalition is ended and that Democratic Party bills will never be "iceboxed."

"We hope so. We will be watching and fighting," he said.

HIGHLIGHT

Highlights of committee assignments were:

1. Esposito Democrats were given the chairmanships of 16 of the 26 committees, including the important finance and judiciary committees.

2. Representative Manuel S. Henriques, of Kauai, who last week called the Esposito land-reform program radical, got the chairmanship of the land reform committee.

The makeup of the committee was such that a majority of its members are likely to oppose the heart of the Democratic land reform program now in the House hopper.

ILWU MEN

3. Members of the Cravalho-Kauhane faction who have active ILWU connections re-

ceived the chairmanships of the agriculture, airports and harbors, and public health committees.

4. Esposito accepted posts on six committees, including land reform.

5. Representative Thomas P. Gill, who was slated to head the Land Reform Committee combined with the Judiciary Committee under Esposito's organization plan, accepted a seat on the committee.

6. A separate Honolulu City Charter Committee is composed exclusively of Oahu members.

7. The Esposito group was given the balance of power in two committees, Economic Development and Traffic Safety.

The house met briefly yesterday morning before a joint session of the house and senate was addressed by Governor Quinn.

A recess was ordered shortly after noon until 2:30 p.m. but the recess was later extended to 3:30 p.m.

Cravalho then called the house into session and made the committee announcements.

The house was adjourned until 11 a.m. Monday.

Mr. EASTLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of the committee assignments of the House of Representatives of the Hawaiian Territorial Legislature, as printed in the Saturday Star Bulletin, of Honolulu, on February 28, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIST OF HOUSE COMMITTEE ASSIGNMENT

Because of errors in making appointments, last-minute changes, and one misunderstanding about the number to be assigned to one committee, the committee makeup has been changed slightly since its announcement.

The following list has been changed to show the latest decisions on changes as well as decisions yet to be made.

Names of legislators are grouped according to membership in the two Democratic factions, one led by Representative O. Vincent Esposito and the other by Representatives Elmer F. Cravalho and Charles E. Kauhane, and the Republican minority in the House.

Committee	Esposito	Cravalho-Kauhane	Republicans
Finance.....	Stanley I. Hara, chairman; Takeshi Kudo; Howard Miyake, James Y. Shigemura, James H. Wakatsuki.	Charles E. Kauhane, vice chairman; Manuel Henriques; David K. Trask.	S. Austin, Robert Teruya, Webley Edwards, Clinton Shiraishi.
County and municipal affairs.	Donald Ching, vice chairman; Akira Sakima; Jack Suwa; Raymond Kobayashi; Sakae Amano.	David K. Trask, chairman; Manuel Henriques; George Okano (either Yoshito Takamine or Akoni Pule).	Joseph Garcia, Barney Tokunaga, Frank Judd, Yoshiichi Yoshida.
Agriculture.....	Takeshi Kudo, vice chairman; Akira Sakima; James Shigemura; Jack Suwa.	George Okano, chairman; David K. Trask; Charles Kauhane.	Joseph Garcia, Samuel King, Yoshiichi Yoshida.
Judiciary.....	Hiroshi Kato, chairman; Bernaldo Bicoy; Robert Chang; Thomas Gill; David McClung; O. V. Esposito.	John C. Lanham, vice chairman; Manuel Henriques; Yoshito Takamine.	John Milligan, Clarence Fong, Wadsworth Yee, Ambrose Rosehill.
Land reform.....	Sakae Amano, Robert Chang, Thomas Gill, O. V. Esposito, David McClung.	Manuel S. Henriques, chairman; David K. Trask, vice chairman; Charles E. Kauhane.	Samuel King, Wadsworth Yee, J. H. Worrall.
Statehood.....	Tadao Beppu, chairman; James Shigemura, James Wakatsuki, Donald Ching, Raymond Kobayashi, Jack Suwa, O. V. Esposito.	Manuel Henriques, vice chairman; Charles Kauhane, Ray Adams, Akoni Pule, John C. Lanham, Yoshito Takamine.	Stafford Austin, Samuel King, Flora Hayes, Yasutaka Fukushima, Ward Russell.
Economic development.....	Howard Miyake, chairman; Hiroshi Kato, vice chairman; James Wakatsuki, O. V. Esposito, Thomas Gill, Al Ezell, Sidney Hashimoto.	Ray Adams, Akoni Pule.....	Stafford Austin, Wadsworth Yee, Clintou Shiraishi.
Printing.....	Robert Chang.....	Akoni Pule, chairman; Ray F. Adams, vice chairman; John Lanham.	Yoshiichi Yoshida.
Housing.....	Sakae Amano, chairman; James Wakatsuki, vice chairman; O. V. Esposito, David McClung, Thomas Gill, Sidney Hashimoto.	Ray Adams, Manuel Henriques, Charles Kauhane.	Clarence Fong, Robert Teruya, Ambrose Rosehill.
Youth and general welfare.....	Robert Chang, vice chairman; Donald Ching, James Wakatsuki, Akira Sakima.	Walter Harada, chairman; Ray Adams, John Lanham.	Robert Teruya, Dorothy Devereux, Yoshiichi Yoshida.
Tourism.....	James Wakatsuki, Al Ezell, Raymond Kobayashi, Bernaldo Bicoy, Takeshi Kudo.	John C. Lanham, chairman; Manuel Henriques, vice chairman; David Trask, Charles Kauhane, Yoshito Takamine.	Barney Tokunaga, Webley Edwards, Clinton Shiraishi.
Veterans.....	Jack Suwa, chairman; Howard Miyake, vice chairman; Takeshi Kudo, Al Ezell.	Pedro Dela Cruz, John Lanham.....	Wadsworth Yee, Frank Judd, Clinton Shiraishi.
Public health.....	Sakae Amano, Akira Sakima, Robert Chang, Donald Ching.	Pedro Dela Cruz, chairman; George Okano, vice chairman; John Lanham.	Barney Tokunaga, Flora Hayes, Dorothy Devereux.

Committee	Esposito	Crawfallo-Kauhane	Republicans
Airports and harbors.....	Tadao Beppu, vice chairman; Jack Suwa, Al Ezell, Bernaldo Bicoy, James Wakatsuki.	Yoshito Takamine, chairman; Manuel Henriques, Ray Adams.	John Milligan, Webley Edwards, Clinton Shiraishi.
Education.....	Sidney Hashimoto, chairman; James Shigemura, vice chairman; Raymond Kobayashi, Howard Miyake, Robert Chang, O. Vincent Esposito.	Ray Adams, Manuel Henriques, Yoshito Takamine.	John Milligan, Flora Hayes, Dorothy Devereux (another Republican yet to be named).
City charter.....	Donald Ching, chairman; Akira Sakima, vice chairman; Bernaldo Bicoy, Sakae Amano.	Charles Kauhane, George Okano.....	Howard Worrall, Frank Judd, Ambrose Rosehill.
Public lands.....	Raymond Kobayashi, vice chairman; Thomas Gill, Akira Sakima, David McClung.	Charles Kauhane, chairman; Yoshito Takamine.	Joseph Garcia, Samuel King, Flora Hayes.
Public institutions.....	James Wakatsuki, chairman; Raymond Kobayashi, Howard Miyake, Stanley Hara.	Akoni Pule, vice chairman; David Trask, George Okano.	Stafford Austin, Barney Tokunaga, Dorothy Devereux.
Natural resources.....	Al Ezell, chairman; Bernaldo Bicoy, vice chairman; Donald Ching, Thomas Gill.	John Lanham, Charles Kauhane.....	Joseph Garcia, Samuel King, Howard Worrall.
Labor.....	Raymond Kobayashi, chairman; David McClung.	Yoshito Takamine, vice chairman; Pedro Dela Cruz, John Lanham, Akoni Pule.	John Milligan, Robert Teruya, Ambrose Rosehill.
Accounts.....	Raymond M. Kobayashi, Howard I. Miyake.....	Ray F. Adams, chairman; George M. Okano, vice chairman.	Barney Tokunaga.
Government efficiency.....	Bernaldo Bicoy, chairman; Jack Suwa, vice chairman; Howard Miyake, Al Ezell.	Manuel Henriques, Ray Adams.....	Clarence Fong, Dorothy Devereux, Howard Worrall.
Civil service.....	Robert Chang, chairman; Sakae Amano, vice chairman; Donald Ching, Raymond Kobayashi.	David Trask, Manuel Henriques.....	John Milligan, Ambrose Rosehill, M. Yoshida.
Traffic safety.....	James Y. Shigemura, chairman; Al Ezell, Jack Suwa, Robert Chang, Bernaldo Bicoy.	Ray Adams, vice chairman.....	C. Fong, Howard Worrall, Frank Judd.
Utilities.....	Takeshi Kudo, chairman; Sidney Hashimoto, vice chairman; Al Ezell, Bernaldo Bicoy, James Wakatsuki.	George Okano, Pedro Dela Cruz.....	Stafford Austin, Wadworth Yee, Frank Judd.
Public improvements.....	Akira Sakima, chairman; Bernaldo Bicoy, vice chairman; Sakae Amano, Takeshi Kudo.	Pedro Dela Cruz, Akoni Pule.....	Clarence Fong, Flora Hayes, Webley Edwards.

Mr. EASTLAND. Mr. President, there is substantial evidence that the political coup which resulted in the ILWU-Republican coalition in the Territorial house of representatives was initiated by Jack Hall, Communist ILWU leader. The Honolulu Advertiser of February 3 reported that Jack Hall had held a meeting with eight legislators at his home on Sunday, January 25, in what the paper described as "a last-ditch attempt to get major control of the Territorial house." The newspaper said the meeting lasted from 9:30 a.m. to 4:30 p.m. The newspaper said the meeting was attended by Representatives Charles E. Kauhane and George M. Okano of Oahu, Akoni Pula and Yoshito Takamine of Hawaii, David Trask, Jr., of Maui, Pedro Dela Cruz of Lanai, and two others whose names were not learned.

Among the recent indications of Communist influence in Hawaii was the order of the Supreme Court of Hawaii filed July 28, 1958, appointing a committee to assist the supreme court in the preparation, revision, promulgation, publication, and administration of the general rules of criminal procedure. One of the persons appointed to this committee was Myer C. Symonds, who was a "fifth amendment case," as I recall, when the Internal Security Committee went to Hawaii. The Supreme Court of Hawaii appointed him to help in the preparation, revision, promulgation, publication, and administration of the general rules of criminal procedure.

It is a Communist who has that power.

This was an amazing appointment. Myer C. Symonds is a Honolulu attorney. He was born in Sydney, Australia. He practiced law in San Francisco for about 10 years and went to Hawaii late in 1946. He was a Communist before he left the mainland. He attended the beginners' class of the professional section of the Communist Party from August 17, 1943, to September 3, 1943. He subsequently became membership director of the Lawyers' Club of the Communist Party in San Francisco. He was a member of the professional section of the Communist Party when he joined the U.S. Army in 1944. He was placed on mili-

tary leave from the Communist Party during his Army service, and after leaving the Army in 1946 he resumed his position of membership director of the Lawyers' Club of the Communist Party. That same year he became a member of the Haymarket branch of the Communist Party.

Myer C. Symonds appeared before the Senate Internal Security Subcommittee in Honolulu in December 1956, and refused to answer questions about his Communist connections, claiming his privilege under the fifth amendment as a basis for such refusal. Yet the Supreme Court of Hawaii in July 1958 named this man as a member of its criminal procedural rules committee. He is an attorney for the Communist Harry Bridges' union, Mr. President, and yet some say that Communist union does not have tremendous influence over the political and economic life of the islands.

Unanimous conclusions of the full Internal Security Subcommittee, as reported to the Senate in 1957, after hearings in Hawaii, included these:

Persons in Hawaii who have been shown to be Communists are acting in concert in an active conspiracy to further Soviet purposes in these islands.

These conspiratorial forces, by their control of the International Longshoremen and Warehousemen's Union—ILWU—and United Public Workers—UPW—are in a position to choke off the flow of all oceanborne commerce upon which the islands depend, and exercise a significant influence on the political life of the islands.

Unions under the domination of unregenerate Communists have a monopoly in handling cargo shipped from all our western ports and through our lifelines on the vast Pacific and on the Hawaiian Islands.

The measure of control exercised by the ILWU, as presently constituted, over the economic life of Hawaii, is a serious threat to the internal security of the United States.

Mr. President, that was a unanimous finding of a 9-man subcommittee, composed of both Democrats and Republicans.

Nothing has happened—nothing—to disturb those conditions.

Any talk about communism having been defeated in Hawaii and the dangers removed is not only wishful thinking but is very dangerous to the security of our country.

It is unfortunate that there are those in Hawaii who want to obtain statehood at all costs. They know that to expose communism in Hawaii would endanger the chances of statehood. Therefore, they would like to conceal evidence of this frightful danger, belittle the Communist menace, sweep it under the rug and hope it will go away. Of course, it will not go away; and the only way to deal with it is to bring it all out in the open. Until this has been done, and until the people of Hawaii have broken the Communist power in the islands, there should be no grant of statehood to Hawaii.

Mr. ERVIN. Mr. President, during September 1958, my wife and I took our first vacation in 10 years. Inasmuch as we had a daughter and a son-in-law in Hawaii, we decided to go to the islands.

We spent about 5 weeks there. I shall never forget the gracious hospitality extended to us by many residents of the island, including former Governor and Mrs. Oren Long; Mr. and Mrs. Walters Martin; Dr. and Mrs. Gregg M. Sinclair; Mr. and Mrs. Robert Dodge; Miss Elizabeth Keyes, of Honolulu; Mr. and Mrs. Clarence J. Olds, of Kaneohe; and Mr. and Mrs. Norman Olds, of Hilo.

I had an unusual opportunity to visit and talk with many of the residents of the islands. My son-in-law, who is a lieutenant in the Marines, and my daughter were living in a house off the Marine base, at Kaneohe, and among the residents of the islands. Their nearest neighbors were Mr. and Mrs. Clarence Olds. Mr. Olds' grandfather had gone to the islands from New England in 1852. He is one of the finest and kindest men I have ever been permitted to know. As a result of his being a neighbor of my daughter and her husband, I contracted a very warm friendship with him.

He took me about Oahu, and enabled me to see, on intimate terms, many of the residents of the islands.

There is one thing very significant about the islands, and that is the fact that they are the only Territory, originally independent—save and except the Lone Star Republic of Texas—which, of their own volition, and by their own choice, applied for permission to become a part of the United States. I think that is a very significant thing, because it is certainly a rarity in human history for the people of any area voluntarily to request that they be permitted to join another nation.

I was much impressed by the people of the islands and by the process of Americanization, which has reached an obvious fulfillment there. I was particularly impressed on this score by watching the children of the islands, many of whom had the features of orientals, in drugstores and shops. I noticed that the little children of the orientals, the Hawaiians, the Americans, Filipinos, and other residents of the islands went into the drugstores and shops in much the same manner as do little children in America. They purchased ice cream cones, lollipops, and comic sheets.

I was also impressed by the political activity in the islands. During the time I was there the political races were in progress. I have never in my life seen in America a greater interest in public affairs than was manifested by the candidates of the two parties for the various elective offices. They showed a devotion to the concept of government of, by, and for the people.

Another thing which impressed me was the stories I heard about the fidelity of the people of the islands after Pearl Harbor. While a large proportion of the people of the islands are of Japanese origin, they manifested complete loyalty to the United States.

My friend, Clarence J. Olds, has served in the Armed Forces of the Nation in the First World War and in the Second World War, as well as in the Korean conflict. He took me to a very beautiful place known as the Punch Bowl, which overlooks the city of Honolulu and constitutes the Memorial Cemetery of the Pacific. There I saw the graves of hundreds of natives of the islands who had gone out into the Pacific war and into the European areas during the Second World War, and had paid the last full measure of devotion to this country we call America.

One thing which I will treasure among my memories as long as I live was a visit to a Buddhist temple in what is called the Big Island, the Island of Hawaii, which gives the entire chain its name. In that Buddhist temple I saw plaques hanging upon the wall which gave the names of 23 men, natives of the islands, who bore Japanese names, who were members of that little Buddhist congregation in a sparsely settled area, and who had paid the last full measure of devotion to our Nation in the Second World War and in the Korean conflict. As I stood in the Punch Bowl and saw those graves, and as I stood in the Buddhist Temple, where I saw the memorial to 23 members of the congregation who

had died for our Nation, I could not help but think of the words of the heroic poet, Rupert Brooks, which applied to them, just as they applied to thousands upon thousands of other American boys who have made the supreme sacrifice for the same country:

These laid the world away; poured out the red

Sweet wine of youth; gave up the years to be
Of Work and joy, and that unhopd serene
That men call age, and those who would
have been

Their sons, they gave their immortality.

I am convinced from my own personal observation that the people of the islands are just as devoted to the America we know and love as we are. They have demonstrated that they believe in government of the people, by the people, and for the people. They have demonstrated their complete loyalty to America by their devotion and their sacrifices on the field of battle for our country. They have convinced me that they are entitled to statehood, and for that reason I expect to support the bill.

Mr. DWORSHAK. Mr. President, although there have been 22 separate investigations and hearings in connection with statehood for Hawaii, beginning in 1935, during most of which time I have been a member of either the House or Senate Interior and Insular Affairs Committee and the Appropriations subcommittees handling the Interior Department budget, I regret that I did not participate in any of those hearings.

However, I do not intend to sound a discordant note at this time. When the Committee on Interior and Insular Affairs a few weeks ago reported favorably a bill for statehood, I voted for statehood. However, during the discussions which preceded that action by the committee, I made some inquiries of the chairman of the subcommittee, the junior Senator from Washington [Mr. JACKSON], concerning the application of the Sugar Act to the new State of Hawaii.

The opinion has been expressed that statehood would not affect in any way the existing provisions of the act as it has applied to Hawaii while a Territory. However, there is a lack of clarity and some uncertainty as to the application of the Sugar Act following the granting of statehood. Two sections of the Sugar Act might be affected by statehood for Hawaii. By section 1112(a)(2)(A) of the 1956 amendment, continental beet and cane sugar may now receive an additional quota each year of 165,000. Hawaii does not now get any of this increase. If Hawaii as a State were included in the continental group and received part of this increase, it would mean less for the States of the mainland.

The other section which might be affected by statehood is section 1107(a) of the Sugar Act, dealing with entry of direct-consumption—refined—sugar from Hawaii and elsewhere.

I should like to ask the chairman of the subcommittee to clarify the legislative history on this particular point. I have no inclination to oppose the continuance of the status which Hawaii has

had as a Territory in the application of the Sugar Act. However, I should like to inquire whether it is possible that Hawaii will, as a State, continue to enjoy special privileges which have existed under territorial status when it becomes a State, and whether it will be possible for Hawaii, as a State, not only to retain these benefits but to participate to the same extent as other States in the application of the Sugar Act and possibly acquire additional benefits.

I should like to have a clarification of this point at this time. I should like to inquire of the distinguished chairman of the subcommittee whether he has any clarification on this point, particularly from the Department of Agriculture, which has the responsibility of enforcing this act.

Mr. JACKSON. Mr. President, I have before me a memorandum dated March 5, 1959, from the Associate Solicitor for Territories, Wildlife, and Parks of the Department of the Interior, addressed to Legislative Counsel.

The question came up in the subcommittee, and the subcommittee had a definite understanding at the time from a representative of the Secretary of the Interior that the act of statehood would not add or subtract from any rights the Territory of Hawaii now has in connection with the Sugar Act.

The memorandum to which I refer states, in part, as follows:

Assuming the enactment of statehood legislation containing a provision similar to that set forth in section 15 of S. 50, I believe that no change will arise in connection with the Sugar Act.

I should like to read further from the memorandum, and this is very important:

In this instance, however, it seems to me clear that the Sugar Act provisions relating to Hawaii result from considerations other than its Territorial status. Because of its climate and terrain, it is an area peculiarly suitable for sugar production. Because of its geographical location and its isolation from the continental United States, its sugar problems are susceptible to handling in a fashion which differs from the procedures applicable to sugar producing areas of the continental United States.

It is my understanding from a reading of the memorandum that the passage of S. 50, granting statehood to Hawaii, will maintain the status quo. As counsel as pointed out in the memorandum, the rights of the Territory of Hawaii under the Sugar Act stem not from the fact that it is a Territory, but from the fact that it is an area peculiarly suited for sugarcane. It was on that basis that certain rights accrued to Hawaii. Therefore it is my understanding, I will say to my distinguished friend from Idaho that if there had been any other understanding we would have made changes in the statehood bill. Under the circumstances, we are proceeding on the assumption that the status quo will be maintained.

Mr. DWORSHAK. I understand the explanation to be that as a State Hawaii would continue to receive the benefits which it now enjoys, and, likewise, will not gain any additional benefits by

the admission as a State, under the terms of the Sugar Act.

Mr. JACKSON. The Senator is correct.

Mr. President, I ask unanimous consent that the entire memorandum be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 5, 1959.

To: Legislative counsel.

From: Associate Solicitor for Territories, Wildlife, and Parks.

Subject: The effect of Hawaiian statehood upon the Sugar Act.

You have requested my views on the question whether the admission of Hawaii into the Union will have any effect upon the provisions of the Sugar Act of 1948, as amended, and particularly whether the quota provisions of that act will be affected. Assuming the enactment of statehood legislation containing a provision similar to that set forth in section 15 of S. 50, I believe that no change would arise in connection with the Sugar Act.

Section 15 of S. 50 provides in pertinent part: " * * the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States. As used in this section, the term 'territorial laws' includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to the admission of the State of Hawaii into the Union, and the term 'laws of the United States' includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of the admission of the State of Hawaii into the Union, (2) are not 'territorial laws' as defined in this paragraph, and (3) are not in conflict with any other provision of this act."

Substantially the same language appears in section 8(d) of the Alaska Statehood Act (72 Stat. 339, 344). As you know, section 8(d) is the subject of a memorandum from me to the Assistant Director of the Technical Review Staff, dated October 24, 1958, which sets forth our views concerning the meaning of section 8(d). That memorandum has been approved by the Department of Justice and has been distributed by the Bureau of the Budget to interested departments and agencies of the Government and, so far as I am aware, has been uniformly adopted by them in construing section 8(d).

The October 24, 1958, memorandum deals, among other things, with statutes which prescribe treatment for Alaska different from the treatment accorded other States of the Union. It concludes that distinctive treatment, so long as it is based upon considerations other than the legal status of Alaska, remains acceptable notwithstanding Alaska's admission. This result is based upon the third sentence of section 8(d), which sentence is the same as the last sentence of section 15 of S. 50 quoted above. The memorandum states, in pertinent part, as follows:

"There remains for consideration * * * those laws * * * which prescribe distinctive treatment for Alaska attributable to some factor other than the Territorial status of Alaska. This, we think, is the type of law to which the third sentence of section 8(d) was directed, in that such laws are laws that '(1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this act.' The distinction may have been made,

for example, because of area, population, climate, terrain, or any of a number of other factors. We think it entirely compatible with statehood that those distinctions be preserved until such time as the Congress manifests an intention to the contrary. It is our conclusion, therefore, that these provisions of law are laws of the United States which will continue in force and effect after the admission of Alaska to the Union."

In connection with the statement that no necessary incompatibility exists between statehood on the one hand and distinctive treatment on the other, the memorandum further states that this conclusion does not conflict in any way with section 1 of the Alaska Act (and the same statement is contained in section 1 of S. 50), providing for admission "on an equal footing with the other States in all respects whatever." The memorandum points out and cites authority for the proposition that such a provision guarantees a new State equality with respect to its sovereignty and political rights, but it does not operate to restrict Congress in the enactment of legislation within the sphere of its plain power.

We also noted in the memorandum that difficult questions of statutory construction and legislative intent will arise in applying the foregoing to specific statutes prescribing distinctive treatment, and that if substantial doubt exists as to whether distinctive treatment arises as a result of legal status, rather than other factors, a submission of the question to the Department of Justice would be appropriate.

In this instance, however, it seems to me clear that the Sugar Act provisions relating to Hawaii result from considerations other than its Territorial status. Because of its climate and terrain, it is an area peculiarly suitable for sugar production. Because of its geographical location and its isolation from the continental United States, its sugar problems are susceptible to handling in a fashion which differs from the procedures applicable to sugar producing areas of the continental United States. In the Sugar Act, the Congress saw fit to prescribe quotas for the domestic beet sugar area, for the mainland cane sugar area, and for Hawaii. It doubtless could have included Hawaii in either or both of the first two categories and it may in the future see fit to do so. But Congress doubtless recognized that it would be easier to administer a law which recognizes the fact of Hawaii's location outside the continental beet and cane producing areas. I can see no reason why this technique would be less acceptable in the light of Hawaii's admission than it has been during the period of Hawaii's Territorial status.

A. M. EDWARDS,

Associate Solicitor, Territories, Wildlife, and Parks.

Mr. YARBOROUGH. The bill now before the Senate involves an action which has been delayed for about 105 years. In 1854 a treaty for the annexation of Hawaii to the United States was completed between Secretary of State Marcy and King Kamehameha III. However, due to the death of King Kamehameha and certain objections in the United States, unfortunately the treaty was not carried out.

Of course, Hawaii had prior to that time shown its capacity for self-government in the union of all the islands under King Kamehameha I in 1795, under their written laws of 1824, their first written constitution in 1840, and then under their liberal constitution of 1852.

After the 1854 annexation treaty again in 1870, we negotiated a treaty which set up a virtual protectorate in Hawaii, where the people had again shown their

capacity for self-government. But this Senate rejected the treaty, and Hawaiian admission and statehood was again delayed. Nevertheless these people of the Territory have been denied admission to their Territory as a State.

In his book on the westward expansion of the American people, the historian, MacCaleb refers to what he describes as "race unconsciousness" the unconscious urge of the race to expansion of their territorial boundaries. He deals with the fact that some peoples have an instinct for expansion while others do not. In our own country some people react slower than the rest of the country in the acquisition of new Territories or new States. We may well wonder that our Nation is longer on the eastern seaboard than it is on the western seaboard. That is due largely to sectionalism among our people. Due to slavery, the southern part of the United States did not want to expand in the Pacific Northwest, whereas the Northern States, opposing slavery, did not want to expand to the Southwest.

The result has been that as we have expanded westward we have developed a rather narrow boundary on the Pacific coast as compared with our land on the Atlantic coast; we contracted instead of expanding our boundaries as we went westward—political considerations pulled our boundaries in, against the instincts of the people.

Ever since American sailors first landed in the Islands in the 1700's, and through later settlements by New England missionaries there has been a close bond between us and the Hawaiian Islands.

Despite the relatively small size of the Hawaiian Islands, our act of admitting the Islands is nothing more than an act of historic justice. It is the carrying out of an historic commitment, an historic act that should have been done long ago.

The Hawaiian people have shown their capacity for self-government. After having been a united monarchy since 1795, Hawaii became a republic in 1893. It was annexed by the United States, on July 7, 1898, and it became an organized Territory in 1900. The people of Hawaii have had a form of self-government in their islands since 1900, under a type of territorial organization which differs from that in existence in any other American Territory.

Mr. President, as a Senator from Texas, a State which was once an independent nation—and I take issue with the distinguished Senator from North Carolina, because Texas was never a Territory after she won her independence in 1836—and voluntarily came into the Union as a State when she was then an independent nation—I extend the hand of fellowship and brotherhood to another American Territory, which once had won and maintained its own independence as a nation, first as a monarchy, then as a republic, and likewise accepted the protection of the Stars and Stripes, into membership in this great aggregation of commonwealths which make up the United States of America. Texas welcomes Hawaii as the 50th State. Two independent nations volun-

tarily surrendered their sovereignty to become sister States in the greatest Union of States this world has ever known.

Mr. McGEE. Mr. President, as I have listened to these interesting exchanges on the question of Hawaii, two thoughts have come to my mind, which I think need to be expressed at this time of the day.

Meritorious as all the historic tradition is behind the case for Hawaii; meritorious as are our military and moral considerations, which have been eloquently spelled out in the Senate today; there are two aspects of the question which I think might further be emphasized before we say our last words and then pass judgment.

The first is our posture before the rest of the world as opponents of communism. We have made it very clear to the world that we are opposed to Communists and communism. We are also agreed that there may be some Communists on the Islands of Hawaii. However, no one whom I have heard speak today is proposing that we dump the Hawaiians into the Pacific, so to speak; that we dissociate ourselves from them in the future. What the proposition comes down to is: How can we best combat Communists and communism?

We have been criticized by many of our friends in the world for being too negative; for being against, without making clear what it is we stand for. I think that in the case of statehood for Hawaii we have an opportunity to make our posture clear and positive before the rest of the world. We have long since learned that we cannot legislate an idea out of existence. We cannot pass a law to destroy the Communist Party. We fight ideas with better ideas.

One of the real ways we have for combatting Communists, it seems to me, is to pull one of their propaganda rugs from under them in Hawaii by admitting Hawaii to statehood. This would exhibit an air of confidence by showing that we are willing to share our system of government; that we are not afraid of its contrasts with communism.

While there are those who believe that a few Communists will infect all the democracies in the world, I think it is important that we appreciate the simple truth that democracy is somewhat infectious too. If we would but use it more positively, we would find a new weapon at our disposal for combatting communism.

The second aspect is psychological. I refer to the psychology of the peoples of the Pacific nations. We have heretofore exhibited a stature which was not altogether complimentary to us—a superiority in our air. Some aspects of our past history have suggested such superiority. Often Asians give the superior air of Americans as their reason for turning to alternative ways of life. Therefore, it seems to me that we have a chance in Hawaii to seize the psychological initiative in that area of the world. Where they are now concerned with the contrasts between communism and independence, we would go on record

before the world as proposing a peaceful democratic accession at the suggestion of a people or a territory which is largely Asiatic.

We are, in effect, a hundred years after our own secession movement, indulging in a laudable bit of accession. This, in contrast with the colonialism fears in Asia, would strike a refreshing note, I have no doubt, in that quarter of the world. Likewise, it would suggest our own acceptance of the thesis of equality.

By granting Hawaii statehood in our system of government, we will be saying to the rest of the world that we hold no discriminatory views toward Asiatic peoples.

In addition to the many excellent reasons which already have been developed, I appeal to the Senate to consider statehood for Hawaii in the realm of a positive way of combatting communism and of a psychological posture which is constructive and helpful and will inure to our benefit in the struggle which is now going on throughout the world for the minds of men.

I subscribe with deep conviction to the views of those who support statehood for Hawaii.

Mr. THURMOND. Mr. President, I rise in opposition to S. 50, which would admit the State of Hawaii into the Union.

Mr. President, I have great respect and admiration for the people of the Territory of Hawaii. Their islands are famous for the hospitality of its citizens, and the lure of island life is so strong that it provides a temptation for many men, young and old alike, to forsake the mad and ambitious pace of competitive living that typifies our North American Continent. I suspect that the tourist information and pictures, which so pleasantly depict life in the Hawaiian Islands, have instilled in many, if not all, of us a fascination and longing for the easy and pleasant life of the beachcomber.

I do not mean to imply, Mr. President, that all of the admirable qualities of the Hawaiian people stem from their traditionally patient and unhurried approach to life, or the recreational possibilities offered by their enviable climate and island geography. Their courage and stamina have been more than proved in war; their industry and efficiency have been demonstrated by the growth and diversification of their peacetime economy. The esthetic of Hawaiian culture is more than adequately balanced by the utilitarian.

Admiration of a people, however, regardless of the degree, is not a sufficient foundation on which to base such an irrevocable and far-reaching political decision as granting to those people statehood in the United States of America. There are many admirable people in the world, and the number of groups which merit our appreciation increases proportionately to our knowledge and understanding of them, and also according to the degree of self-expression accorded to them under their system of government. The English speaking people of the world, generally speaking, enjoy a latitude of

political freedom, as we understand the term, which allows self-expression of qualities which, from our earliest training we have learned to admire and appreciate. Other peoples in the world share these qualities, and others that are highly commendable, although, unfortunately, many of them are suppressed to the extent that we are hardly aware of the existence of such qualities.

Looking south from the United States of America, we behold immediately beyond the Rio Grande the Republic of Mexico. Here, too, we observe a people with a more unhurried approach to life than our own, and also a country with the recreational attraction that is common in the more advanced semitropical countries. Here, too, in recent years, is the easy pace of life matched by industry and productivity, as is most graphically illustrated by the competitive position enjoyed by certain Mexican products, among them cotton textiles, which are gaining increased shares of the world market.

This country lies adjacent to our own; in fact, parts of what were originally Mexican Territory have long since been incorporated as States of the United States, including our second largest State, Texas, and those States formed from the Gadsden Purchase.

Despite the admirable qualities of the Mexican people, a productive capability which would support and does support State governments, and a parallel, if somewhat slower democratic development, would these factors sufficiently support an application for statehood, even if requested and conditioned on a period of territorial status? Of course not. An affirmative answer would indicate a fallacious and unbalanced concentration on similarities and a neglect of the glaring dissimilarities.

Such a fallacious concentration on similarities has led us too far along the road of no return to Hawaiian Statehood. We are so engrossed in the daydream of benevolence and good wishes for these warm-hearted people, that we are in danger of condemnation for what is almost culpable neglect of the basic political factors which should control our decisions. We are not elected to office for the purpose of exercising our emotions; for, at least theoretically, we were sent here to exercise our judgment, individually and collectively, in the best interests of the people of the 49 States in the Union. I propose now, that we consider some of the facts on which our judgment should rest.

The democratic principles of self-government, as practiced in our constitutional Republic, are not the result of merely an enlightened philosophy which our Founding Fathers conceived as an answer to the latent desires for self-determination. The Constitution, itself, while novel in many functional respects, was in reality a formalized implementation of ideas which had been tried, and had been found, from actual experience, to be worthy of implementation. The institutions which comprise our Government were shaped by experiences beyond common recollection; yet the results and

lessons which stemmed from those experiences have become ingrained in our political philosophy.

It is appropriate that we review, briefly, at least a few of the developments which have contributed to our rich political heritage, and have, to a surprising extent, without our conscious realization, shaped and formed our basic outlook toward the institutions of government.

Underlying and fundamental to our most basic philosophy is our concern, our respect, for the dignity of the individual. It is so deeply ingrained upon the hearts of the overwhelming majority of the populace of the United States that it approaches the quality of instinct. It is so submerged in our essential character that its origin is often obscured. Origins of such concepts assume tremendous importance in relation to questions, such as those posed by the issue of Hawaiian statehood, which affect the unity of the peoples of the 49 States.

Upon reflection, it is easy for us to realize that our concept of the dignity of the individual could have originated only in Christianity. This concept is only one of the many concepts of the facets of our religious heritage which find expression in our political thoughts and institutions.

Not only is it important to recall the origin of such concepts, in order to put in proper perspective the issue we are considering, but it is equally vital to be aware of the route of transmission of the concepts of Christianity to and through our ancestors, and thereafter and thereby into our very subconscious.

It is imperative that we recollect that Christianity, after its birth on the eastern shores of the Mediterranean Sea, spread almost exclusively with the flow of civilization to the West. Its spread was repulsed, and if anything, reflected away from the East and Orient by the solid wall of the possibly older, already entrenched wall of oriental cults and religions. Christianity flowed ever westward, through Macedonia and Rome, and, on the crest of Roman conquest and civilization, to the shores of Western Europe and the islands of Britain. The acceptance and embracement of Christianity by the West was so eager, and its repulsion by the East was so aggressive, that in shortly more than a thousand years after the birth of Christianity in the land of Palestine, the Christian crusaders of the West were engaged in holy war to wrest the land of the origin of Christianity from the oriental non-Christians who had surged in from the East. Thus, the Christian religion, born on the border of East and West, found its acceptance in the West, and became a part of the heritage and culture of the West, as contrasted to the East of the orientals.

Our heritage is not of single origin. Although our sense of values—such as the premium which we place on the dignity of man, as well as many other basic ideals which guide our relationships—is largely derived from the teachings of Christianity, other historical experiences have contributed immeasur-

ably to our political and philosophical heritage.

Many of these other influences had their origin in antiquity; many others are undoubtedly without historical recordings. Lest we doubt their existence in antiquity, and mistakenly attribute them to the astuteness of ourselves or our immediate forefathers, I would cite an example of the birth of one of our political tenets.

During the days preceding and coinciding with the beginnings of the Roman Empire, there roamed over the lands of northern Europe a nomadic people, who were termed "barbarians" by their more civilized contemporaries of the south. But today we recall these barbarians as the ancestors of the men led by the famous victor at the Battle of Hastings, William the Conqueror.

Those early Germans and Saxons lived in a tribal society ruled by chiefs or councils who were thought to derive power from a higher and nonhuman source. Even at that early state of non-civilized development, the value of fixed rules of conduct, generally applicable to all men, were realized. The chiefs or councils, even at that early point in antiquity, unenlightened by the forces of Christianity or civilization, realized that those empowered to govern had limitations; and, almost without exception, they adhered to the philosophy that they, as rulers, had no power to make laws, but, on the contrary, were limited to applying and enforcing existing rules. To remedy the absence of any lawmaking authority which could enact new rules to meet new and changing conditions, those chiefs and councils resorted to the most questionable practice of not creating, but finding, laws not commonly—nor uncommonly, for that matter—known to have previously existed—a rationalization, to be sure; but this early acceptance by German tribal rulers of a limitation on their absolute power to rule grew and contributed to our present-day philosophy that not only is the power of a ruler limited, but government should be with the consent of the governed.

Advancing in point of time from these ancient contributions, political and philosophical crystallizations of thought, though usually uncoded, contributed to definite and positive conclusions in the minds and consciences of Western peoples. These conclusions have descended as a part of our heritage; and many of them have found codification in our basic documents of guarantee, such as the principles of the Magna Carta which were documented for our posterity in the Constitution. Other concepts, while not codified, and perhaps even elusive of precise definition, have become so engraved in our minds and on our philosophy that they are equally a part of our governmental system.

By seeking to recall the contributions of antiquity to our heritage, Mr. President, I would not leave the impression that our political philosophy is without distinct contributions from post-revolutionary days. Our relatively young Re-

public—and often our conduct suggests childishness—has been blessed with profitable experience. Some of our experience has been severely painful—for instance, it is hard to imagine an experience more dreadful than the Civil War which ravaged our homeland—but each experience has tempered our thought and judgment; and only from the close association with the consequences and effects of these experiences are we able to meet the inevitable problems that confront us with solutions that are in keeping with our basic beliefs.

Our heritage is so rich and rewarding that even a cursory review of its history and formation would require more words than even a U.S. Senator can muster. Its cumulative impact on both our conscious and subconscious, nebulous as it may appear, is the common denominator of our thought process which enables us, even when in disagreement, to reason together for the common good, while safeguarding the rights of the individual. That condition of our mentality permits an intercourse of ideas bounded by the same walls of moral attitude, and permits harmonious interchange of ideas, just as a common language makes possible a comprehensible exchange of words.

Ours is emphatically not the only heritage on earth, and I might add that it has no monopoly on admirable characteristics. Many other peoples than our own share a major portion of our traditions and principles; and theirs differ from ours only in extent and route of development. With some peoples, such as the English, we share almost all of our basic political philosophy; and our differences appear primarily in the political institutions and procedures which are the expression of our very similar philosophies. The degree to which we share our heritage with other peoples obviously depends on the coincidence of ideas and the degree of their acceptance among and by our several ancestors.

Just as there are those with whom we share, to differing degrees, our heritage, there are also in this world those who are the devisees of a totally different heritage, and with whom we have no identity in either antiquity or modern times. There are many shades and mixtures of heritages in the world, but there are only two extremes. Our society may well be said to be, for the present, at least, the exemplification of the maximum development of the Western civilization, culture, and heritage. At the opposite extreme exists the Eastern heritage, different in every essential—not necessarily inferior, but different as regards the very thought processes within the individuals who comprise the resultant society. As one of the most competent, and certainly the most eloquent, interpreters of the East to the West, Rudyard Kipling felt the bond of love of one for the other; but at the same time he had the insight to express the impassable difference with the immortal words, "East is East, and West is West, and never the twain shall meet."

The chasm of difference between the two, possibly geographical in origin, ceased eons ago to be geographical in nature. The difference is in heritage, the force that shapes the man to form unchangeable, except, if at all, by the infinite passage of time.

At this point, it behooves us to review briefly some of the influences and occurrences which have contributed to the Eastern culture.

Initially, let us recognize the fact that the Eastern, or Oriental, heritage antedates that of the West. A heritage begins, not with the discernible history of a generic group of people, but with the birth of lasting ideas which contribute to the development, good or bad, of a people.

History reveals that even at the time of the birth of Christianity, the Eastern society was completely impregnated with the ideas contributed from ancestors' experiences in prehistoric times. For example, one of the contributions of their heritage which was evident even at that early period was their possession of a high respect for their parents—a quality which persists in an even more refined state today, and which, needless to say, is most admirable.

It is not pertinent, however, to consider here whether the attributes of the Eastern heritage meet with our admiration or our disapproval. What is important is the fact that they are vastly different, and—even more important—the fact that the differences are so deeply embedded as to be practically incomprehensible to the product of the Western heritage, and vice versa.

Our best approach to an understanding of the product is through study of the processes that formed it. As I have stated, the traditions and heritage of the East commenced earlier in point of time than did our own, and have, like our own, continued to the present. It would, therefore, be impossible to attempt to approach any degree of exhaustiveness in treating the formation of Eastern heritage. I shall merely mention a few of the periods of oriental history which contributed substantially to the fabrication of things oriental.

As I have mentioned, one of the facts which most sharply illustrates that, from inception, the heritages of East and those of the West were different, is that the origin of the former antedates the origin of the latter. For instance, although the early history of China is shrouded in fable, it is certain that that civilization was much advanced among those oriental people when civilization was only beginning to dawn on the nations of Europe. In fact, the names of numerous Chinese dynasties which belonged to a period two thousand or three thousand years before Christ are still preserved. The fact that a recitation of the names of those dynasties would strike no chord familiar to us, does not detract in the slightest from the contributions of that early civilization to the composite of what is known to us as the Eastern mind. Probably the earliest Chinese individual whose name has a familiar ring to us was Confucius, who was born in 551 B.C., under the rule of Ling-Wang,

in the declining days of the Chow dynasty. That one philosopher and teacher made an immeasurable impact on the formation of the Chinese thought process and outlook, and, indeed, on the entire Eastern world, despite the fact that subsequent to his lifetime, an Emperor, or "Whang," ordered the burning of all books in China, including those containing the teachings of Confucius. In order to establish that book-burning episode in point of time, we may note that the same Emperor commenced construction of the Great Wall of China. It is also worthy of note that at the time of the book burning in China, written languages were rare, and books were almost unknown in the Western World.

There was no interrelation of the eastern and the western heritages; in their early development, one did not contribute to the other. For all intents and purposes, each went its own way, uninfluenced by the other. Apparently, the first time when even the vaguest exchange of ideas occurred was following the visit of Marco Polo to China, in the relatively recent period of the 13th century.

The moral attitudes and rules of human relationships of the East are derived, not merely from the teachings of Confucius, but also from mixtures of Taoism and a form of Buddhism and various superstitions which originated in the fables handed down from a form of civilization that antedated history.

The Eastern heritage cannot be characterized by merely observing its descendancy in China, however, any more than Western heritage can be appreciated by a study of, say, the culture of England, to the exclusion of other Western cultures. A look at the heritage of Japan will illustrate the point.

Japan's early heritage unquestionably lies in the same prehistoric Oriental civilization as does that of China. The development of what we might loosely term the "national temperament" of each is similar to the extent of the similarity of the influences of their early common history. The difference is one of degree, rather than substance, and is attributable to the separate and dissimilar influences of more recent times.

In Japan, as in China, the thinking reflects the influence of the precepts of Confucian ethics, as well as those of Buddhism. The ancient respect for parents is reflected in forms of what we consider ancestor worship. Nevertheless, neither China alone nor Japan alone reflects the ultimate in the result of Eastern heritage, any more than France alone nor Germany alone could reflect all the facets of the development of the Western heritage.

One factor about Japan is so illustrative of one aspect of the problem I am discussing, that it cannot be ignored. That is the odd historical fact of the relative isolation of Japan from other cultures during what can be called the medieval history of that country. The effects of that isolation are most ably summarized in the words of George Trumbull Ladd, late emeritus professor of metaphysics and moral philosophy at Yale University:

In a word, there is probably no other one of the foremost and equally populous nations of the world whose mental characteristics, as developed on a basis of race temperament, are more strongly marked.

We should consider that situation in the light of the fact that the Japanese people are not an ethnologically homogeneous race. On the contrary, they are a mixture of two distinctly different racial groups, the Tartars or Mongolians and the Malayans, along with traces of other indigenous elements. This proves beyond doubt that the temperament and philosophy of a people are shaped by their total heritage, rather than by their racial strains.

Now let us turn to the outward manifestations of what we may generally call the resulting oriental philosophy. There are many such manifestations which illustrate the mental approach inspired by their heritage; but the purpose is served just as well by quoting a conclusion of so eminent authority as George Trumbull Ladd, who concluded that the Japanese temperament is characterized, by, among other things, "a disposition to deal with moral and religious truths as though they are matters worthy of only a passing curiosity, rather than concerned with the profounder insights and most important activities of human life." In the other direction, after noting the fundamental difference between the Japanese moral outlook and the Western moral outlook, Mr. Ladd concluded:

We may safely declare that the Japanese are as truly moral as any other race of civilized human beings.

It is obvious, then, that the fundamental difference between the heritage of the East and that of the West has, in turn, resulted in the existence of equally fundamental differences in the mental approach to the conduct and regulation of society. It is not necessary for us to attempt to form a judgment as to which heritage will ultimately result in the better society, or which mental approach is superior, if, indeed, we were so presumptuous as to imagine that the devices of either heritage could completely comprehend the thought processes of the other group. History has shown that societies with such differences in heritage and resultant outlook can coexist, and that, in fact, each can profit from contemporary experiences of the other.

The fact of the difference is what we must first recognize and acknowledge. Once this basic premise is accepted, we can better understand, perhaps, why Christianity found ready acceptance in the Western World, but was rejected in the East. Of course, the Eastern mentality is quite probably susceptible to the lure of ideologies which persons of Western heritage are inclined to study and then reject.

Having realized that the various heritages have resulted in fundamentally different mental outlooks, and that they can, and do, peacefully coexist, we must turn to the next question which naturally arises in our minds, to wit: Can two diametrically opposed mental approaches be fused with a harmonious result?

The answer is an emphatic "No." Once again, history has provided a clear-

cut illustration of this answer; we have only to consider Japan. Subsequent to World War II, the Americans occupied Japan, where they not only voided the power of the Emperor, but also established, at least in form, democratic institutions of Western heritage. Despite the fact that the Japanese were tutored intensely for a period in excess of 10 years in the operation of these institutions, and despite the ability of the Japanese to copy Western accomplishments, in Japan the development of these borrowed democratic institutions has taken on a peculiarly Japanese flavor, and, to many in the Western World, has been both surprising and disappointing. Political parties in Japan have increased alarmingly, and it has become almost impossible to determine from day to day just who belongs to what party. In Japan, this and other similar circumstances have led to a quality of instability that, from the western point of view, is most disturbing. Many have attributed these developments to what is naively called lack of experience in democracy. Actually, such developments are due to the fact that the Japanese must of necessity operate these western institutions from a basically oriental mental approach. Undoubtedly, the Japanese, as any other devisees of oriental heritage, is capable of a democratic existence, but only when that existence is the outgrowth of the mental perspective of the Japanese. A fusion of western form with Japanese mental approach can never be successful. Only by devising institutions that will be singularly expressive of Japanese ideas and ideals can the Japanese obtain a truly workable democracy.

It is not only in the field of government that a fusion of Western and Eastern mental outlooks is impossible; it is also impossible in all other areas of human relationship. For instance, no institution was more stable than the prewar Japanese family. With the advent of the American occupation, Japanese women were tendered emancipation in the Western tradition. Actually, the Japanese family had played an even more vital role in the structure of the Japanese society than the family plays in Western society. However, the Japanese approach to the subject of sex is totally different from that which prevails in the West. This emancipation of Japanese women from sources without the Japanese heritage, therefore, left in the Japanese structure of society a gaping void, the harmful consequences of which will be felt for generations of Japanese to come. It is quite possible, and even probable, that if left to their own approach, the Japanese would have progressed toward an emancipated status for women which would have been orderly and entirely beneficial. But an attempt to bring about a fusion of Western habits with Eastern heritage in an effort to produce harmonious results, was doomed to failure from the outset.

We arrive, then, at the unmistakable conclusion that the mental attitudes resulting from the different heritages of East and West are fundamentally different; and that while the two mental approaches and the resultant diffused

societies are capable of coexistence, nevertheless it is impossible to fuse them with harmonious results.

Let us turn now to the Hawaiian Islands; and, from an examination of their outward characteristics, let us determine how the element of heritages should influence our judgment on the issue of statehood for Hawaii.

The central Pacific archipelago, known as the Hawaiian Islands, is located approximately 2,040 miles across the Pacific Ocean from the North American Continent. There are eight principal islands and many smaller ones, with a total area of approximately 6,400 square miles. As of July 1958, the civilian population of the islands numbered some 578,000, which was augmented by some 35,000 military personnel.

The population density of the Hawaiian Islands is in the neighborhood of 80 persons a square mile. It is significant, also, that 49 percent of the Hawaiian population resides in the city of Honolulu, and 70 percent of the population is concentrated on the island of Oahu, on which Honolulu is located.

From the standpoint of agricultural development, it is worthy of note that Hawaii has approximately 308,580 acres under intensive cultivation. That figure represents the near maximum potential, because of terrain and rainfall factors. In 1950, there were 5,750 farms, encompassing 2,432,069 acres.

The first contact of the Western World with the Hawaiian Islands was at the relatively recent date of 1788, when the English explorer, Captain Cook, visited the islands. Western intercourse, both commercial and cultural, with Hawaii has been prevalent since about 1820. In 1900, Hawaii was incorporated as a Territory of the United States, and has continued in that status to this time. Although Hawaii has a Territorial legislature elected by popular vote, the Governor of the islands is appointed by the President of the United States, and the islands have one nonvoting Delegate to Congress. The franchise, as to elective offices, is extended to U.S. citizens in the islands who can read and write English.

Turning to population composition, according to the Bureau of Census figures for 1950, we find that approximately 23 percent of the population is Caucasian, having declined somewhat, percentage-wise, since 1940. The remainder of the population is comprised of Japanese, 36.9 percent; Hawaiian, including part Hawaiian, 17.2 percent; Filipino, 12.2 percent; Chinese, 6.5 percent; and others, 4.2 percent.

Even when the large numbers of military personnel are included—and they have little, if any, bearing on the facts which should influence our judgment on this question—oriental and Hawaiian groups constitute in excess of 70 percent of Hawaii's population.

This large segment of the population has a heritage allied and similar to that of the Japanese and Chinese—in a word, Eastern. It is a rich heritage, more ancient than our own; but, above all, fundamentally different from that of which we are the beneficiaries. It would be foolish to presume that this

heritage of the East, which extends back in time for thousands of years, could be replaced by contact with the West for a century, especially when we consider the fact that ties of culture have also been maintained with the East. To make such a fallacious assumption would be an injustice to these people, for they are not so easily brainwashed of their basic mental approach.

A distinction must be recognized at this point between existence of individuals of Eastern heritage under Western institutions of government administered and directed by people of Western heritage, on the one hand, and Western institutions of government administered by individuals of Eastern heritage, on the other hand. The people of Hawaii under Territorial status constitute an example of the former while the people of Japan subsequent to the occupation represent an example of the latter. They are quite different in result. The former can, and often does, have beneficial results to the people concerned; the latter is doomed to have disastrous consequences. Fortunately, the Japanese have sufficient latitude of self-determination to recover by adapting and modifying the Western institutions imposed on them to suit their own mental processes. If the constitutionally bounded status of statehood is imposed on Hawaii, including the responsibility for conformation to the harmony of political and sociological ideas essential to the successful operation of our peculiarly Western, federated Republic, there will be no room for adaptation, and the attempted fusion will work to the disadvantage of both the people of Hawaii and the people of the previous 49 States. And, lest there be any doubt, the interest of the people of the 49 States, our constituents, bears considerably—yes, primarily—on this issue.

The conclusion which I suggest is not in derogation of the principle of local self-government. Self-government is and should be the aim of all peoples, and it is in the interest of all of us who enjoy it to promote it among other peoples.

I am also conscious of the mutual advantages to the United States and to Hawaii which result from close political and economic ties. The beneficial bonds between the United States and the islands must be preserved.

Statehood, however, is not the only vehicle of self-government; neither must a denial of statehood to Hawaii necessarily sever the political and economic bonds of Hawaii and the United States. It is not because of, but rather in spite of, our heritage that we of the Western World are often inclined to limit ourselves to the rut of unimaginative thinking.

The answer to the desire of all of us to assist Hawaii to realize the maximum degree of self-government and determination, while maintaining—even strengthening—the political and economic bonds which now exist between us is the commonwealth status. Through the mechanics of commonwealth status, Hawaii could realize self-government through political institutions conforming to the dominant Ori-

ental heritage and outlook. At the same time, the commonwealth act could provide for the defense and support of the islands by the United States, with the assistance of Hawaiians and Hawaiian bases. Commercial ties of mutual benefit could similarly be preserved.

There is serious doubt in my mind as to whether the Hawaiian people would not be seriously handicapped, possibly even precluded, in defending themselves from such as the Communist-dominated Longshoremen's Union by the imposition upon them of Western institutions of government, since their heritage has not equipped them to comprehend the philosophy essential to the effective operation of these institutions. Left to their own resources with respect to the inauguration of democratic institutions to implement self-government, they would surely achieve more harmoniously, and more effectively, the benefits accruing from self-rule.

There is even greater doubt in my mind that the Hawaiian people could contribute to the degree of harmony remaining in the conduct of affairs of our Federated Republic through instrumentalities singularly Western. I am impressed with the difficulty of this operation resulting from the slight differences in heritage across our complex Nation, in spite of our very substantial identity of heritage and ideals. I fear that an abandonment of the United States of America in favor of a United States of America and Pacific—preceding a United States of the World—would actually benefit no one, but toll the death-knell of our Federated Republic.

I move, therefore Mr. President, that S. 50 be recommitted to the Committee on Interior and Insular Affairs, with directions to make such investigations as it deems necessary, and to report to the Senate a bill to provide commonwealth status for Hawaii.

Mr. HOLLAND. Mr. President—

The PRESIDING OFFICER (Mr. Moss in the chair). The Senator from Florida.

Mr. HOLLAND. Mr. President, ever since World War II I have strongly supported the granting of statehood to Hawaii and the Hawaiian people. We do not speak, in this matter, of annexing to our country an area that is not a part of the United States, because it has been a cherished part of the United States since 1898. We do not, Mr. President, speak of incorporating a large group of people into the citizenship of our Nation who are not already Americans, because they have been Americans—American citizens—since 1898.

Mr. President, the last figures from the Census Bureau show that 85 percent of the civilian residents of Hawaii, of nearly 600,000, are native-born American citizens—native-born citizens of Hawaii. Mr. President, the question, therefore, is not a question of annexation of foreign territory or of the incorporation into our Nation of people who are not Americans, who are not American citizens, just the same as we are, but it is a question of whether or not the progress, the development, the record, the history, the traditions of Hawaii and the Hawaiian people entitle them, under our Ameri-

can system, to become full-fledged citizens of a State with rights, standing, and stature equal to that of any other State of the Union.

Mr. President, it is because I have felt that the people of Hawaii, by their record of loyalty and service to America, and their record as American citizens, have fulfilled in the highest degree the requirements imposed upon the people of any area of our Nation before statehood, that precious ultimate right, is accorded, and it is because I feel they have merited statehood that I have long supported statehood for Hawaii.

Mr. President, I should like to briefly refer to a few of the things which I think have been established as reasons why we should grant statehood to Hawaii.

First is the strategic importance of Hawaii, not to itself, but to the United States of America. We can all think back to December 7, 1941. We can all remember that the first attack of the enemy was leveled not against the mainland of the United States, but against what was known to be our great bastion of military strength in the Pacific, Hawaii.

Mr. President, what happened that day and what happened in the years which followed demonstrated completely that Hawaii is our great, strong, sturdy bastion for the defense and the security of this Nation in the Pacific area. No one would deny that for a moment. Hawaii was the center of our naval operations in the Pacific, the center of our Army operations in the Pacific, the center of our Air Force operations in the Pacific, and the center of our services of supply for all whom we were supplying in the Pacific. Hawaii is the point of highest strategic importance to our Nation in that important area of the world.

The second point, Mr. President, follows the first point closely. In connection with what happened December 7, 1941, and what happened in the months and years which followed, there has been demonstrated beyond any cavil or question the tremendous loyalty of the Hawaiian people. I shall not elaborate upon that point. My distinguished and eloquent friend, the Senator from North Carolina [Mr. ERVIN] has already spoken feelingly of the crosses he saw on the Hawaiian hills. Let us simply admit as a matter of course that the Hawaiian people acquitted themselves magnificently as American patriots of the first degree and are entitled to be regarded and always held as such on terms of equality with American patriots anywhere else in any other part of our Nation.

Mr. President, the Hawaiians have supremely demonstrated their loyalty and fidelity to America.

What about the economic capacity of Hawaii? I hope all Senators have read the report of the committee. If Senators have read the report, they know that last year, 1958, Hawaii contributed more to the coffers of the United States than was contributed by each of 10 States, all of which are fine States, and all of which are contributing to the extent of their capacity and the extent of the capacity

of their people, as required by Federal law.

Mr. President, last year Hawaii contributed \$166 million to the Federal coffers. I think it is worthy of note that there has been no time in recent years when the appropriations made by the American people for the development of Hawaii have equalled the amount paid by Hawaiian citizens into our Federal coffers, exactly as citizens of other States pay from their income and from their personal estates.

Mr. President, I think one more point has been established, which is the capacity of Hawaii for self-government. Hawaii has not only been tested under our Federal laws, but has been tested under local laws in maintaining a responsible and republican form of government. Hawaiian citizens have done so for many years. As a matter of fact, the Hawaiians did so before they were annexed to us, at their own request, in 1898.

Mr. President, from every standpoint I think it is fair to say Hawaiians have shown that they fully merit statehood. Mr. President, I am unwilling longer to withhold from a great group of American citizens a right which is a part of the heritage of any such group of American citizens.

Mr. President, I have one more point and then I shall conclude. I will make this point very quickly. Aside from the Hawaiians' own entitlement to statehood, I want to emphasize the point recently made by my distinguished friend, the junior Senator from Wyoming, to the effect that it is a matter of tremendous importance to us, in all of that great area of the world where more human beings live than live anywhere else in the world, for us to show that we still believe in those principles which used to be regarded as fundamental Americanism—such as no taxation without representation, such as the right of self-government, and such as the catalog of ancient rights declared so long ago in England and transplanted to these soils, here enriched in the history of our people.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to my distinguished friend from New Mexico.

Mr. CHAVEZ. I should like to make one point in reference to the motion made by my good friend the Senator from South Carolina. I know the Senator would like to have Hawaii put on a commonwealth status, but I am very set against that kind of procedure. I would not like to have the Territory associated with the United States; I should like to have Hawaii made a part of the United States. That is the reason I am in favor of Hawaiian statehood.

Not only that, but Hawaiians have earned statehood, even in making the supreme sacrifice when necessary. Who did better fighting than the native American-Japanese-Hawaiians in Italy or over all of Europe? If those people are good enough to die for the United States, why are they not good enough to be a part of the United States of America, instead of being associated with the United States of America?

Mr. HOLLAND. Mr. President, I thank my distinguished friend for his very fine comment.

I close with one point, Mr. President. I think it is extremely important that we remember, no longer will the world be satisfied with people who are static and who are content simply to stay within a well-entrenched position and say, "We are going to live here. We are going to govern ourselves. That is all there is to it. We are not going to extent ourselves even if the strongest kind of case is made by our fellow citizens for extension."

Mr. President, I thought we got away from that idea last year when we gave merited statehood to Alaska, which faces the Soviet Union, only a few miles away across a narrow strip of water. I think for the same reason, but perhaps in an even more important way, we will be serving ourselves and the cause of freedom not by following a path of supercaution or even timidity in this matter but instead by demonstrating that the American democracy is not static but aggressive, not timid but fearless, and is perfectly willing to show that American principles of freedom and American justice mean exactly the same now as they meant in the days of Valley Forge—in the trying days when this Nation became the epitome of freedom throughout the world.

Mr. President, I hope statehood will be granted to Hawaii.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CARROLL. I wish to commend the distinguished Senator from Florida for one of the most intelligent and penetrating statements made concerning admission of Hawaii to statehood.

Mr. HOLLAND. I am grateful to my distinguished friend.

Mr. MANSFIELD. Mr. President, is there a motion pending before the Senate?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The question is on agreeing to the motion of the Senator from South Carolina [Mr. THURMOND] to recommit the bill to the committee with certain instructions.

The motion was rejected.

Mr. GOLDWATER. Mr. President, I shall detain the Senate only a few moments. I wish to join with my colleagues who have expressed their willingness to vote for statehood for Hawaii this day.

Mr. President, I came to the Senate 7 years ago convinced that Hawaii had long deserved statehood, and I am still of the same conviction.

I am very happy to be associated with the political party which has forced this issue down through the years, and I am glad that finally the Republican Party's efforts have been recognized by a Democrat majority.

I serve on the Committee on Interior and Insular Affairs, and on the Subcommittee on Territories. It has been my pleasure to sit through many days of hearings on this subject, down through the years. There is nothing I could say about Hawaii that has not been said, and there is nothing I could attempt to say

with the vigor of those who have already spoken.

I cannot agree with my colleagues who say that the people of Hawaii are different, and therefore Hawaii should not be made a State. That same argument has been used against statehood in the case of many of the States which have been admitted to the Union. I recall the arguments which were made against Arizona and New Mexico becoming States, because it was said that we were too recently a part of Mexico. While it was true at that time that the great preponderance of our citizens were of Mexican extraction, I say today that that has been a definite asset to the United States, and has continued to be an asset as we have endeavored to mix the peoples of the world.

The people of Hawaii are Americans, and I believe that because they are Americans they are entitled to be closer to the Republic than they are as a Territory.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. I am very much in favor of the bill. I have not spoken on it, because I am interested in expediting action on it.

I ask the Senator from Arizona, a man with an outstanding war record, if, to the best of his knowledge, at the outbreak of hostilities in 1941, there was any evidence of sabotage in the Hawaiian Islands.

Mr. GOLDWATER. I am glad the Senator asked that question. From all the reading I have done on the subject, which includes documents of the highest order, I have found no evidence of wrongdoing on the part of any of the Hawaiians in connection with Pearl Harbor Day or any events leading up to it.

Mr. MANSFIELD. To be specific, there has been no evidence of sabotage on the part of Americans of Japanese descent, or Japanese citizens who were living in the islands?

Mr. GOLDWATER. The Senator is eminently correct.

I may add, in deference to citizens of Japanese ancestry, that on the mainland we have found no evidence of sabotage among them, either before, during, or after the war. On the contrary, the people of Japanese ancestry who live in Hawaii served the country very admirably in all the branches of the service, all over the globe.

Mr. MANSFIELD. What organization in the war received more decorations and had a higher percentage of casualties than any other group which served in the Armed Forces?

Mr. GOLDWATER. I cannot recall. However, it was an infantry outfit, and it fought in Italy.

Mr. KUCHEL. The 442d Regimental Combat Team.

Mr. GOLDWATER. It was the 442d Regimental Combat Team. I thank my friend from California.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. CASE of South Dakota. I am glad to hear this point brought out. I recall that when the subject of statehood for Hawaii was last before the Senate for consideration, someone mistakenly raised the question as to the patriotism and loyalty of Hawaiian units.

At that time I looked up the facts, and I found that it was a Hawaiian National Guard unit which received the greatest number of decorations and had the highest percentage of combat casualties of any regiment. It was an outstanding group.

I was in Hawaii in December. I was there for a week. I visited many points in the Islands. I was impressed by the character of the people, by their energy, their resourcefulness, and their evident interest in getting ahead and doing things.

I was at the field where the Air National Guard unit is now on the alert. When a button was pressed there, two of their fighter planes were in the air in less than 3½ minutes. They were alert. They had a good organization. I am sure that their patriotism equals that of myself or any other Senator.

While I was there I attended a dinner at which a girl who was said to be of Japanese blood sang the "Star Spangled Banner." At the time, I felt as great a thrill as I have ever felt on any occasion upon hearing the national anthem sung. It was inspiring. When Hawaiian statehood is voted, I should like to see that girl invited to sing the national anthem in Washington. I shall endeavor to ascertain her name.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MANSFIELD. It is my understanding that the 442d Regimental Combat Team, which the Senator has mentioned, and which the Senator from South Dakota has extolled, had a slogan to the effect that they "would go for broke." In other words, they would throw everything into their plan of battle, and do everything they could do to accomplish their mission. I hope the Senate will adopt that slogan, and make certain that long overdue statehood is granted to Hawaii.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. JOHNSON of Texas. Can the Senator from Arizona indicate how much longer he proposes to occupy the floor?

Mr. GOLDWATER. If I am not interrupted again, I should finish in about 2 minutes.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. GOLDWATER. Mr. President, I was very glad to have this little colloquy with my friends relative to the loyalty of Hawaiians, because that is one of the questions that has been raised by other colleagues in the Senate. I feel that if we bring the Hawaiian people into a closer tie with the Republic, we can eliminate any subversion which may be taking place in the islands at the present time.

Let me make one further point. The importance of the Far East has been brought up by a number of my colleagues. It is my opinion that the Far East is the future field of victory or defeat in the world cause for peace. I do not look on Berlin with the horror with which many of my colleagues contemplate it. I look upon our neglect of the Far East with far greater apprehension, because I feel that it is one of the most important flanks of our enemy, Russia.

Mr. President, I hope that the great majority of my colleagues will join me and other Senators in voting tonight for statehood for Hawaii.

During the delivery of Mr. GOLDWATER's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that my friend from Arizona may yield to me for the purpose of making a motion to reconsider the vote by which the motion to recommit the bill was rejected, because the author of the motion was temporarily detained and did not have an opportunity to vote on the motion. He was not aware that the question was being put. I ask unanimous consent that the Senator from Arizona may yield to me with the understanding that he will not lose his right to the floor.

Mr. GOLDWATER. I shall be very happy to do so.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Is there objection to the reconsideration of the vote by which the motion to recommit the bill with certain instructions was rejected? The Chair hears none; and the vote is reconsidered.

Mr. JOHNSON of Texas. Mr. President, may we have put the question on the motion to recommit the bill?

The PRESIDING OFFICER. The question recurs on the motion of the Senator from South Carolina [Mr. THURMOND] to recommit the bill with certain instructions.

The motion to recommit was rejected.

Mr. GRUENING. Mr. President, if the fervor of my support for the bill admitting Hawaii to the Union were to be measured by the length of my remarks, I would try to beat the endurance records made in recent years on the floor of the Senate by the distinguished senior Senator from Oregon [Mr. MORSE] and the distinguished junior Senator from South Carolina [Mr. THURMOND]. One could wax eloquent on the subject of Hawaii and the cause of Hawaiian statehood for many hours.

However, rather than expanding and expounding my oft-expressed views, held firmly for a quarter of a century and particularly since, as Director of the Division of Territories and Island Possessions of the Department of the Interior, I visited Hawaii in 1937, I prefer, by speaking only very briefly, to contribute to the worthy effort of passing the Hawaii statehood bill today, if possible, and if not then, by tomorrow at the latest.

To act favorably on this historic and epoch-making measure in so short a time in this Congress will in itself be a great achievement.

It will demonstrate the wide and deep acceptance of the admission of Hawaii as the 50th State by the American people, and the warm welcome which they will shortly extend to the last incorporated Territory as a full-fledged member of the family of States.

It will demonstrate the reflection in the Senate of that sentiment and redound to the credit of its leadership, of its committee and subcommittee chairmen, of the members of the committee that reported the Hawaiian statehood bill unanimously, and of the whole body of the Senate itself.

Mr. President, the people of no State since the original 13 have deserved statehood more than Hawaii. Hawaiians have long since met every objection, have passed all tests—those of population, going economy, ability of self-government, and patriotism.

Beyond that, Hawaii has a unique contribution to make to the Nation in this time of trouble and crisis.

Hawaii's admission will demonstrate to the whole world that whatever else America is, America is, above all, an idea. An idea and an ideal. That idea, that ideal, is the American common denominator.

It was the vision of that idea and ideal that drew men and women across the uncharted wastes of the Atlantic Ocean even before our Union was founded.

It is that idea and ideal which, embodied in those immortal documents, the Declaration of Independence, the Constitution with its Bill of Rights, created America.

It is that idea and ideal, proclaimed by the great men who founded our Nation, which made the Nation.

It is that idea and ideal which served as a beacon to the oppressed of the world.

It is that idea and ideal which rekindled their hopes and led them to leave their countries and join in the great American experiment.

It was that idea and ideal which led them over the Appalachians, across the prairies, to the Rockies, on to the coast, and beyond that to Alaska.

It is, in short, the materializing of that idea and ideal that is America.

The world has shrunk. Modern invention has changed much, but these great changes have merely emphasized that the American idea will either survive or perish. Shall that idea and ideal survive and flourish, or shall tyranny, whose brutality and ruthlessness make the rule of King George III, against which our forefathers revolted, by comparison a benign and benevolent overlordship?

In the effort to extend and strengthen the idea and ideal which are America, no action which the Congress can take will do so much as to admit Hawaii to statehood.

Statehood for Hawaii will extend the idea and ideal which are America into the far Pacific. And Hawaiian state-

hood will find that idea and ideal already established in those Pacific isles. Statehood will extend that idea and ideal—which is America—to ethnic groups which hitherto have played a relatively small part, quantitatively, in the materializing of it, although they have played that part qualitatively in Hawaii. They will help us to win the confidence of Asia in the idea and ideal which are America.

Those good Americans in idea and ideal, our fellow citizens of Hawaii, have asked for the great right and privilege of joining their fellow Americans in the supreme task of perpetuating and strengthening freedom. They need the equality of citizenship to serve the common cause effectively. We need them to help us.

One could expand this theme indefinitely. It goes to the heart of the Hawaiian statehood issue. But I prefer to state, as my deepest conviction, that America will strengthen itself immeasurably in admitting Hawaii as our 50th State.

Mr. STENNIS. Mr. President, with all deference to everyone concerned, I cannot help entertaining the fear that we are somewhat losing our sense of proportion in passing a measure from which there is no road back, no road of return, and in trying to pass it within a few hours, almost within a few minutes.

I recall that 2 or 3 years ago there was a little lady in my home State who had been in the service. She became paralyzed for life because of a defect in a drug which was administered to her while her husband was in the service and she was a patient in a service hospital. It took me about 3 years, I believe, to have a little bill passed which provided her with the small sum of \$5,000, as I recall that is what the amount was finally whittled down to. Yet this evening we are apparently going to pass a measure which is more far-reaching than would be an amendment to the Constitution.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. JOHNSTON of South Carolina. Why does the Senator say that we are going to pass the bill tonight?

Mr. STENNIS. The effort is to pass it tonight. I believe I said apparently it might pass tonight.

That brings to the forefront the thought that, as we all know, those who drafted the Constitution of the United States provided that it would take a two-thirds vote of the membership of each House of Congress to propose an amendment to the Constitution, and that the amendment would have to be approved in solemn assembly either by State legislatures or in convention by three-fourths of the States before it could become a part of the Constitution. Even then it would be subject to change or repeal. Yet merely by majority vote in Congress additional States can be admitted to the Union, and thereafter there can be no change in its status. In view of the provisions of the Constitution, there is certainly a strong admoni-

tion that statehood should not be hastily granted and that we should be careful to act on such a question only after the utmost consideration.

I recall that when the matter was debated before the committee, the committee was in a quandary as to how to define the boundaries of Hawaii, just where the boundaries would be, and what would be the situation with reference to the international waters between the islands which would become a State.

Frankly, I have not had an opportunity to check into that matter much further. I understand the situation is as it was when the bill was debated a few years ago. I understand further that nothing has been done to clear up that point. Perhaps nothing can be done. At the very threshold that point poses one of the most serious points involved.

I heard the senior Senator from Florida [Mr. HOLLAND], say it would not do for our country to get into a static phase. If he had heard the proof I have been hearing today as a member of the Preparedness Subcommittee, he would be convinced that we are not in a static stage, and that we are not likely to be in one at any time soon, in view of the Berlin crisis and other very grave questions confronting us, which, frankly, with all deference, I believe should be having our attention rather than rushing through a bill to add a new State to the Union.

I believe that we should be making a very serious effort to balance the budget. I do not say that in criticism of anyone. I notice that newspapers and cartoonists refer to the balanced budget. However, the budget is not balanced. The budget for 1960 is not balanced. Even if not so much as \$1 were appropriated, at least a billion dollars in new taxes would be required to balance the budget.

I do not hear any great agitation or see any great urge to pass a new tax bill. If we took a fair measure of our needs, perhaps we could pass one, if we were convinced it was needed.

My point is that I think we are getting the cart before the horse. There are so many other things which immediately demand our attention. There are many grave matters confronting us which should take preference over bills of this kind.

The bill for Hawaiian statehood is also a great departure. It is the first one of its kind, in that it abandons the North American Continent as the area for the United States of America. Not only does it abandon the continent; it goes 2,000 miles out into the Pacific Ocean. Regardless of all the merits of the fine people who live in the Hawaiian Islands, we may be setting a precedent by taking into the American Union this farflung archipelago, the nearest island of which is 2,000 miles away.

I hope the Senator from Washington [Mr. JACKSON] will remain in the Chamber, because I wish to ask him a question or two in time.

By admitting Hawaii to statehood, we shall set a precedent for admitting other island possessions into the Union. I am certain that most of the fine qualities

and virtues which have been attributed to Hawaii can also be attributed to the people of Guam, the Virgin Islands, and Puerto Rico. We shall set a precedent, if the bill is passed, not only of leaving our territory on the North American Continent, but of going out into a farflung area in the Pacific Ocean. If that shall be done, Congress cannot close the door to further activities of that kind.

There are other nations which are very wise and very fine. There are other nations on the American Continent. I cannot conceive that Canada would seriously consider taking in as a part of its government a disconnected, farflung area such as Hawaii. I cannot think of a more serious matter than the bringing into the body of the U.S. Government as a State any area which is in another part of the world. I cannot conceive of England taking such a step as that. I know that France did in the case of Algeria, but the inclusion of Algeria in the French nation has been an act of the most severe kind.

I do not predict that what I have suggested will happen, necessarily, if Hawaii is admitted to the Union. I pray that it will not. But the door will be opened for other such admissions to the Union.

The Hawaiian Archipelago, as I understand, extends 1,600 miles from the principal island of that group to the farthest island. It extends all the way out in the Pacific Ocean beyond Midway Island, although Midway is not included among the islands which are to be admitted in the proposed State of Hawaii.

Merely a quick reference to the map of the globe will show what could happen if we started to admit areas in other directions from the present United States. If a line were stretched out into the Atlantic Ocean a distance similar to that which Hawaii is from the Pacific coast, the line would reach approximately to the Azores. If it were stretched to the north from our northern boundary, it would run far beyond Canada, somewhere beyond Baffin Island. If a similar line were extended to the south, it would take in all the area beyond Mexico and reach into South America almost all the way to Peru, somewhere near Lima.

Those distances graphically illustrate the precedent we shall set by admitting Hawaii to statehood. They raise the questions: Just what are we doing? Where are we going?

I do not see how we can simply turn a deaf ear to Guam, the Virgin Islands, and Puerto Rico.

I heard it stated very emphatically on the floor that we will do nothing about admitting Puerto Rico to statehood. But the admission of Puerto Rico to statehood is proposed in the platforms of the major political parties. It is a solemn pledge, so far as platforms go. But I think, too, that that is a pretty fair comment upon the low status which platforms have reached in recent years, with all deference to those who work hard in preparing them. Theirs is a very difficult assignment, and the utmost effort is spent on it. But we know that statements are written into platforms

which could hardly be seriously considered. Nevertheless, once a precedent has been set, I do not see how such a pledge can well be repudiated.

In considering the admission of the Territory of Hawaii we should have in mind not only the distance of the islands from the mainland of the United States, but also the distance of the islands from one another. The distances range from 6 miles to 8, 7½, 22, 26, 15, and 64 miles. Those are the distances between the eight principal islands.

The Hawaiian archipelago itself extends for 1,150 miles beyond the farthest westward of the eight main islands.

Very serious questions have been raised, but have never been answered, as to how far the territorial water extends and the international water starts. Certainly those matters should have been decided more definitely than they are in the bill in its present form.

Much has been said about the Hawaiian people and their very fine patriotism. I am proud to have such a splendid report. I am glad that the Hawaiians have lived up to their opportunities since Hawaii became a Territory. I do not think any U.S. possession was ever more fortunate in becoming a Territory than was Hawaii in that day. I am glad the Hawaiians appreciate their citizenship. With other Americans, I am proud of their very fine war record, which I have heard mentioned, and I commend them for it. But while those fine people were fighting for the United States, there were many fine men and women in the United States who were fighting for the Hawaiians. Hawaiians are not the only ones who lie in unknown, unmarked graves on the battlefields of the world. It happened that the homeland of the Hawaiians was the victim of the sneak attack, the attack which caused President Roosevelt, in an address to Congress, calling for a declaration of war, to say that it was "a date which will live in infamy." I have not heard anyone contradict that statement, then or since. So the people of Hawaii had everything to fight for and they fought valiantly.

But all this does not really relate to the merits of the question of statehood. As I have said, there were others who fought, too, and who also had fine war records. I do not discredit the record of the Hawaiians one bit; but there is involved here a serious question because the admission of Hawaii as a State, a State which will be taken to the bosom of our Government, will result in giving it a great measure of control over the affairs of the Nation. It will be given legal representation in the U.S. Senate and House of Representatives, which have the power to change and modify all our laws. Joining Hawaii to the Union of States as it exists today raises serious questions and problems which might plague us in the future.

During this debate, I have not heard much discussion of the military situation. I do not think it can properly be argued that the admission of Hawaii as a State would increase our country's ability to defend Hawaii. Of course, I want the United States to be able to defend Hawaii—even to the death, if

need be. I think one of the great problems which will confront us will be that posed by submarine warfare and the use of the submarine as a new weapon along our shorelines. There may be some way to defend our present shorelines against the possibility of such assaults of the most serious kind, including the use of great numbers of nuclear weapons of huge size. But if that threat has any potential at all, it would be absolutely impossible—even if we were to send all our defensive strength there—for us to begin to defend the area that is proposed, by means of the pending measure, to be admitted to the Union as a State.

I do not think it is argued that the admission of Hawaii as a State will strengthen our military position. On the contrary, in my humble opinion, it would greatly complicate and, in a measure, would weaken us.

This brings me to state that for a long time my idea has been that the proper approach to the Government of that great area is to give it a Commonwealth status. I think that would be a compliment to the people of Hawaii; I have never seen any justification for the argument, which representatives of the Hawaiian people have made, that such a status would give the people of Hawaii some kind of second-class status or second-class citizenship. I remember that the Senator from Oklahoma [Mr. MONRONEY] discussed in a very fine way the possibility of providing Commonwealth status for this area.

Not many years ago I had the privilege of being one of the representatives of the Senate who served as observers and guests at the British Commonwealth Parliamentary Association, in which every parliamentary body in what was once the British Empire was represented. I remember that the Isle of Man had a representative there; he told us that he was a member of a parliamentary body which had held sessions every year for 1,000 consecutive years. I remember that Bermuda was represented there. Bermuda has had parliamentary sessions for more than 300 years. Many other Crown colonies and Commonwealths were represented at that meeting. Their representatives took great pride in the strength they had developed by their own self-government, and in their continuity of self-government, and in their progress and development. That gave me a very fine feeling toward them and opened my eyes to the possibilities of Commonwealth status.

I have never understood the argument of those who say that no change at all should be made in the existing government of Hawaii. Certainly I do not regard Hawaiian citizenship as being of second class. I have never heard anyone suggest such a thing, except when the friends of Hawaii have done so as an argument for statehood. But I do not think that is a sound argument. I think it is not based on fact. I believe it is specious.

Mr. President, I shrink from the idea of creating a State in the middle of the Pacific Ocean, because I believe that area will be the great trouble area of the

world. I totally disagree with my friend, the Senator from Arizona [Mr. GOLDWATER]. I do so with sorrow and regret; but I do not see anything but trouble ahead for that great area of the world.

I do not know the extent of our ability to do very much about it. I know there was not much we could do in the case of Indochina. It was the considered judgment of those who wanted us to intervene there that there was little or nothing that we could do there—or, at least, that we could not do enough there.

Mr. MORSE. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. MORSE. Does the Senator from Mississippi think the United States would do any less in defense of Hawaii if Hawaii were a State, rather than if Hawaii were to continue to be a Territory?

Mr. STENNIS. I have already said that in any case we would defend Hawaii to the very limit. But I am referring now to trouble areas in the world.

I have not heard anyone present any evidence that conditions in Japan have improved; and I look upon Japan as the foremost power in the Pacific area that could have sufficient strength to stop communism. The Japanese people have great industrial know-how and energy; but I have not seen anyone produce any facts to show that, under present conditions, Japan has much chance to grow into a powerful nation—at least, not at any time soon. Of course, I regret that. Especially is that true in view of the fact that the vast manpower and other strength of China has already gone over to the Communist side.

Mr. President, I do not see a rosy picture so far as the Pacific is concerned. I believe the Pacific will be a trouble area for a long time; and I believe it is the area in which communism is going to make more headway. I believe a great fight will be made there to expand communism farther and farther.

Regardless of what may be the situation today in Hawaii, I believe it will be an open door, and will be subjected to tremendous pressure. I shudder to think what could be the outcome. At such a time, certainly it would be most serious to have membership in the Senate and in the House of Representatives open to persons who, under some circumstances, and through no fault of any person now living in Hawaii, might succumb to that threat. In my humble opinion, by that means we would be further developing a situation which would be bound in years to come to give our country the most serious trouble. I have not heard much evidence to the contrary.

We know that over the years there have been very serious communistic threats there; and I believe they will recur. I shall not attempt to speak further now regarding the situation which exists there today.

I found a letter from the Assistant Attorney General, who certified that his agency has no evidence that the condi-

tions which now exist in Hawaii would control a Senator or a Representative; that was about as far as the letter went. I should say certainly that would be true; but that is no evidence as to what probably could happen in the middle of that vast area in the Pacific.

Mr. President, for the reasons I have stated, I judge the pending measure to be one of the most serious of all those to come before the Senate at this session, and one of the most far reaching the Senate could possibly pass. It is a measure—one of the very few of this type that the Congress could possibly enact—which would constitute only a one-way street from which there would be no return.

Mr. President, I trust that, on sober reflection and the utmost consideration, the Senate will not pass such a measure, but, instead, will consider giving a Commonwealth status to this area and to its people.

I yield the floor.

Mr. ROBERTSON. Mr. President, in view of the backing with which S. 50 comes to the Senate, it would be futile for me to think that anything I may say today will prevent its passage, but before final action is taken I want to go on record once more as believing that granting statehood to Hawaii at this time is unwise.

My reasons for taking this position were outlined at length in three speeches I made in the Senate during the 83d Congress, when the House passed an Hawaii statehood bill and the Senate passed a bill giving statehood to both Hawaii and Alaska, but the House failed to approve the combined bill.

Some of my generalized objections to making either Hawaii or Alaska a State were repeated last year before the Alaska statehood bill was passed.

Reviewing those objections now, even in the light of action which has been taken with regard to Alaska, I still feel that the admission of one of these Territories last year was a mistake, and that to admit the other one this year would merely compound our error.

In the first of the speeches which I made in opposition to Hawaiian statehood on March 12, 1954, I said I believed it would be dangerous and undesirable to expand the borders of the United States beyond the North American Continent. I added that even if this objection were ignored, I still felt Hawaii was not a suitable candidate for statehood under existing conditions, because of circumstances involving the Territory's geography, economics, and population.

In my second speech, on March 30, 1954, I argued that Hawaiian statehood would violate fundamental principles of U.S. foreign policy. My third speech, on April 1, 1954, summarized my objections to statehood for either Alaska or Hawaii, and referred particularly to the precedent we would set that would stimulate future demands for admission of Puerto Rico and other islands in the Atlantic and Caribbean.

I know that in the report made to the Senate on S. 50 an effort has been made

to answer the arguments of noncontiguity, of disproportionate representation, of the nature of the population, and of the dangers of Communist domination of the electorate; but what the report offers is more in the nature of denials and pleas of not guilty than factual argument.

The economic condition of Hawaii, which concerned me in 1954, has improved since that time. The population has continued to grow, and there is no question about the fine spirit exhibited by Hawaiians who have served in our Armed Forces, and the loyalty to America of its citizens generally.

The geography of the islands has not changed, however, and the influence of communistically inclined labor leaders, while it has been less evident in recent years, has not been eliminated.

But, above all, there remains the objection to including within the United States a territory so remote and separated by such an expanse of ocean over which we have no control. Alaska at least can be approached through our friendly neighbor Canada; but, under international law, we could not protest if the neutral waters surrounding Hawaii were completely ringed with hostile submarines and aircraft, and I can see possibilities of new crises developing involving Hawaii not unlike our present situation in isolated Berlin.

We would defend Hawaii in any case, of course, but I have not been satisfied by the assurances that Hawaii, as a self-governing State, would be as easy to defend as would a Territory similarly situated where Federal powers are more extensive. And, as a firm believer in States' rights, I do not concede that the answer might be to go ahead and continue to assert Federal controls over the new State for defense purposes, because the same principle could then be applied for the destruction of the rights of the older States.

It is not my intention today to review in detail the arguments I have previously made, and to which I have referred. But there are a few statements already in the record which I feel merit repetition.

The argument that we are obligated to give the people of Hawaii statehood as quickly as possible, as a matter of justice to them and in line with our treatment of other Territories, ignores the difference between the way we acquired Hawaii and the way other States came into the Union.

The States formed from the Louisiana Territory resulted from a purchase and the ratification of a treaty. Texas came in after the people of that Republic had voted overwhelmingly for annexation. The people of Hawaii, on the other hand, in the words of one of our colleagues, "crashed their way into our Union as a Territory against every rule of constitutional law and against every precedent then existing."

A treaty with the king of the islands had been proposed as early as 1854, but the ruler died without its being submitted to the Senate. The old treaty was dug out in 1893, and debated in the Senate over a period of years, without favorable action for ratification. Then, in

1897, when the United States was on the verge of entering the Spanish-American War, President McKinley proposed a new treaty of annexation as a defense measure. This was secretly debated over a period of months, but could not win the necessary number of votes.

The naval battle of Manila Bay was fought on May 1, 1898, and 3 days later a resolution to annex Hawaii was offered in the House of Representatives, and steam-rolled through as a war emergency measure, while the treaty proposed in 1897, which had been ratified by the so-called Hawaiian Republic still was pending in the Senate. The House resolution, which required only a majority vote, as compared with a two-thirds vote for a treaty, was passed by the Senate and Hawaii became a Territory.

In the 1898 debates one Representative said:

Nobody pretends any purpose to take the Hawaiian Islands into the Union as a State, but the purpose is simply and solely, so far as the contention goes, to acquire them for the purpose of assisting us in our military and commercial operations.

Another speaker in the House said:

There is not a man on this floor, there is not a man who hears my voice, who will say that he or this Congress contemplates the acquisition of Hawaii for the purpose of making a State of it. * * * On the contrary, this House is full of men who would not vote for this resolution except with the understanding in their own minds that Hawaii is not to be introduced as a State into the Union.

Those were the sentiments of Members of Congress in 1898, when Hawaii became a Territory, and they echoed a well-established theory that the geographical limits of our Nation should be expanded only with great caution.

In 1845, when admission of Texas as a State was being debated, Daniel Webster spoke of "a very dangerous tendency and of doubtful consequence to enlarge the boundaries of our Government," and added:

There must be some limit to the extent of our territory, if we are to make our institutions permanent. The Government is very likely to be endangered, in my opinion, by a further enlargement of its already vast territorial surface.

Our experience with Texas in itself has not justified Webster's fears, but that does not invalidate the general argument that there are limits beyond which our national territory ought not to be expanded.

When Thomas Jefferson, by the Louisiana Purchase, brought about the expansion of our national border beyond the Mississippi, he wisely foresaw that we could not afford to have a rival nation, especially one under the domination of a possible hostile European power, rise on our western border. The same considerations justified our later expansion through the annexation of Texas and acquisition of the territory along the Pacific Coast, but this argument cannot be applied to inclusion as an integral part of the United States of a group of islands 2,000 miles from our present continental limits, and which themselves stretch over a 1,900 mile area.

Our forefathers who brought this Nation into being through a revolutionary struggle recognized that the American people should be allowed to develop their genius without unnecessary entanglements in the affairs of other continents.

Our first President, George Washington, in his farewell address, pointed out that Europe had a set of primary interests with very remote relation to ours and said:

Our detached but distant situation invites and enables us to pursue a different course. If we remain one people under an efficient Government, the period is not far off when we may defy material injury from external annoyance.

Improved communications and transportation have shrunk the world since Washington's day, and of necessity we are much more closely involved in the affairs of other parts of the world. It is true, as pointed out in the committee report on S. 50, that it is much easier to reach and communicate with Hawaii today than it was for those in the older States to reach California when that State was admitted to the Union, but all these changes are proportional. When California was remote from Virginia, it was much more remote from Europe and from Asia, and while Hawaii is now much easier to reach from the continental United States, the people of the islands cannot get in their cars and take vacation trips to one of the States or share in our national life in a way comparable to people of the existing States, excepting only Alaska, to whose statehood I interposed the same objections.

Therefore, I say, there still is validity to the idea expressed by Thomas Jefferson in a letter commenting upon the revolt of South American colonies against Spain, in which he said:

The European nations constitute a separate division of the globe; their localities make them a part of a distinct system; they have a set of interests of their own in which it is our business never to engage ourselves. America has a hemisphere to itself. It must have a separate system of interests; which must not be subordinated to those of Europe.

That theory was the heart of the Monroe Doctrine and, again, while modern conditions have modified the application of that doctrine and we must now concern ourselves more intimately with the affairs of the other hemisphere, I still feel it is a mistake for us to demonstrate to the world an inclination to take in areas outside of this hemisphere as integral parts of the United States.

John Quincy Adams, as Secretary of States in 1823, warned the Russian Minister in Washington that "we should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subject to any new European colonization establishments."

Now, when we are giving protective custody to some areas in other parts of the world where free governments are threatened, it is especially important for us to avoid any appearance of desire to indefinitely expand our own territory. The final step of admitting Hawaii to the Union as a State should, in my judg-

ment, at least be deferred until a less crucial period in international affairs.

The argument I am making was well summarized in an editorial in the *Richmont, Va., News-Leader* in May 1953 which said:

For the United States to abandon fixed and definite borders—unchanged for more than a century—in order to take into the Union an island group 2500 miles away would be a mistake of the gravest nature. * * * To extend statehood to Hawaii would be to undertake a fateful change in both the physical nature of the Union and in a basic political policy by which the United States has conducted its affairs since the time of Monroe. * * *

Once the step of statehood is taken, it cannot be taken back; and once Hawaii were admitted a precedent would have been established—new rules would have been laid down and old doctrines abandoned—by which the claims of Alaska and Puerto Rico would become far more difficult to resist. At one time Australia talked of petitioning for admission to the Union. And if Australia, why not New Zealand, New Guinea, Indonesia, Formosa? At some future time almost any nation anywhere might logically urge upon the United States the same new rules that are now urged for Hawaii.

These are not remote and speculative contingencies. Hawaii was quite literally scared into seeking annexation to the United States by Spanish pressure in 1898. Since then, international pressures have grown more ominous. Once new standards of degree were established, many an Asiatic nation might offer a consistent plea: If it were sound to take in Hawaii, 2,500 miles away, then why not Guam, some 5,000 miles away? If it is sound public policy to admit Hawaii, with a Japanese population of 37 percent, then why not Japan itself, with a Japanese population of 100 percent?

May I point out, Mr. President, since that editorial was printed, Alaska has become a State, and the fact of Alaska statehood now is presented as a logical reason for granting the same status to Hawaii. This bears out the prediction that breaking the line of contiguity in one place makes it easier to breach it in another. If we go beyond the continental limits of North America to take in Hawaii, we ease the way for further expansion along the line which this editorial suggests.

As I said at the outset of these remarks, I have no hope of blocking favorable action on the pending bill, but I do want to remind the Senate once more of the dangerous principle involved and to express the hope that somewhere in the Record there will be recorded statements that we are not throwing open the gates and inviting membership in a United States of the World, but that having given full statehood status to our last two Territories, the United States of America will devote itself to cultivating that form of constitutional liberty which is our precious heritage and which we offer to the rest of the world as an example to be imitated, but not diluted.

Mr. MORSE. Mr. President, I have co-sponsored Hawaiian statehood legislation since 1951, and I supported it even before that. This is a good example of the frequency with which good proposed legislation must be reintroduced and fought for in Congress after Congress before it can be enacted.

Last year, when the Senate debated Alaskan statehood, I spoke about the noncontiguous argument used against admission of Alaska. In particular, I compared with modern Alaska the extent to which Oregon and California were separated from their sister States when they were admitted back before the Civil War.

Since the same argument—that it does not border upon the continental United States—is often heard against Hawaii, I wish to repeat some of the facts about the history of the settlement of the West.

I quote from my remarks of June 27, 1958:

The history of the settlement of America is evidence of the conquest of time and space by modern transportation and communication that we have achieved.

The fact is that most of the west coast became part of the American Union when the people living there were far more isolated from their fellow citizens than Alaskans are today.

The pattern of orderly, progressive settlement of the United States stopped at the Mississippi River. From its banks westward lay the treeless Great Plains, then the Rocky Mountains, and great deserts. It was the lush valleys of California and Oregon that attracted settlers, and they crossed hundreds of miles of what was then tortuous country to live in California and Oregon, and make them States.

The settlers who crossed the middle of the continent to settle the west coast in the 1840's and 1850's, had to start in April in order to reach the Willamette Valley in Oregon by the next November. Many of their trains were delayed by weather or hostile Indians at the military outposts in Nebraska and Wyoming and they had to wait until the following spring to continue their trip. The hazards and trials they underwent have been vividly recorded by such great writers as A. B. Guthrie, and this epoch of our history lives today in every medium of our entertainment.

There were few attractions for settlers between Missouri and the west coast. The Territory between was nominally under the jurisdiction of the United States, but it was inhabited only by Indians, most of them hostile. Trappers, explorers, a few miners, military stations, and stage stations along the traveled routes were about the only representatives of western civilization. The Great Plains and the Rockies were regarded only as obstacles to be overcome in order to reach the coast. Aside from the trials of nature, the wandering Indian tribes regarded the whites as invaders—and rightly so—who imperiled their way of life, and they were always a threat to travelers, not to mention settlers. Little protection from Indians existed, except near the Army forts.

Yet California became a State in 1850; Oregon became a State in 1859; both were many hundreds of miles from the nearest neighboring States and even the nearest organized Territory of Nebraska. Texas was 650 miles from California; and except for California on its southern border, the nearest State to Oregon in any other direction was Iowa, well over 1,000 miles distant.

California and Oregon were separated from their sister States by vast spaces that were crossed by courageous pioneers, but not either by telegraph or railroad. Except by stagecoach, the quickest way to reach them from the east coast was by sailing around Cape Horn, and the record for the trip was 97 days.

The first telegraph service did not cross the continent until 1861, nor the first train until 1869.

Now, 100 years later, we are linked to Alaska by instantaneous communication from all parts of the United States. Radio, telephone, telegraph, cables, mail schedules, the all-weather road from Great Falls, Mont., to Fairbanks, and air and steamship travel render meaningless the geographic distance so far as statehood is concerned. Today it is 20 hours by air from the east coast to Alaska, and only 5 hours from Seattle to Anchorage. In the 1840's the fastest stage connection between Missouri and California took 24 days, and that was a rarity.

The fact that California and Oregon did not border on their sister States nor on the rest of the American community was no bar to their admission in 1850 and 1859. I think most Oregonians would share my own reaction to the noncontiguous argument, which is simply: "So what?" The 1,000 miles that separated Oregon from Iowa in 1858 were far more difficult to overcome than the 600 miles between the west coast and Alaska are in 1958. Does anyone deny that it is easier to travel through Canada to Alaska now than it was to travel through Indian Territory to California or Oregon or Nevada when they first became States? Intervening land and water have simply not been shown to have any particular bearing on the statehood issue.

We in Oregon and the rest of the Pacific Northwest are tied to Alaska by the ties that really matter. A great many of the Oregon citizens who have written to me in support of Alaskan statehood have mentioned the friends and relatives they have there, and their capability of running their own affairs.

I ask unanimous consent to have printed in the RECORD, at this point in my remarks, an editorial entitled "Hawaii and Oregon," from the *Milwaukee Review* of February 12, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HAWAII AND OREGON

One hundred years apart the halls of Congress echo to the selfsame arguments over statehood for an aspiring territory. In 1858 and 1859 it was the Oregon Territory; in 1958 and 1959 it is the Territory of Hawaii.

Oregon was too remote. Oregon was too hard to defend. Oregon was too thinly populated. But most of all, Oregon presented hard-to-handle aspects of the conflict over Negro slavery. The last-named was the real rub, and the other arguments were only the pretexts for delaying full statehood.

Substitute "Hawaii" for "Oregon" and the arguments are the same. Hawaii, some say, is an island, not a part of the main (although in fact it is far closer to the other 49 States than Oregon was 100 years ago). Hawaii may indeed be hard to defend, but restive Oregon of 1859 was a far greater problem because of the deep split of Oregon opinion on slavery as the Civil War approached. No one knew exactly what Oregon's population was in 1858, and much of the debate is given to arguments on both sides over population "guesstimates"; Hawaii, we know almost exactly, has enough to give it two Congressmen—by far the largest population of any State at the time of admission since Texas, 110 years ago.

Underneath the die-hard and now about-to-be-defeated hostility to admission of Hawaii as our 50th State is race prejudice. Hawaii, alone among American Territories, has a majority of its population drawn from Asiatic and Polynesian stock, rather than the European, African, and Latin American sources of the other American States. In the world we live in today this is one of the mightiest arguments for immediate statehood for Hawaii as an earnest to the world that

all peoples can flourish under the Stars and Stripes.

Only a few years ago a Nebraska Senator blurted out his real opposition when he told his Senate colleagues: "Why the next thing you know we'd have a Senator Yamamoto sitting here."

Some of the more racist southerners have made it clear, too, that they oppose Hawaiian statehood because no member from Hawaii will ever help maintain Southern segregation practices. Both the Nebraskan and the old-school southerners unintentionally add to the reasons why Hawaii should be a State.

As Oregon celebrates this Saturday its 100th birthday, the greatest practical purpose to which we can put our celebration is to extend the helping hand to Hawaii. We have been associated from the earliest days, when Polynesian workmen labored and many died here, since the shipping route took our earliest settlers to the Sandwich Island en route to the mouth of the Columbia. "Owyhee" and "Aloah" among our place-names are traces of our common history. The era just ahead will bring vast new association between us in commerce and tourism.

The State of Hawaii will be a tonic to America's body politic. As we revel in our centennial recollections we can do great things for our Nation by assisting the new State of Hawaii—as old as Oregon in American tradition and culture, but 100 years our junior as an equal commonwealth.

Mr. MORSE. Mr. President, the admission of Hawaii will strengthen the Union. It will add diversity to our population and culture. Yet the people of Hawaii are basically American in their culture and will continue to be so. They are certainly tied closely to the American continent in the things that count—in their political institutions, their news media, their forms of entertainment, and in their economy.

Let me add that I only wish I could be as confident that the District of Columbia will achieve true home rule during this session of the Congress.

The demands of justice will be served when the people of the District are permitted to elect their own mayor, just as they will be served when two Senators from Hawaii are seated in this Chamber.

Mr. ENGLE. Mr. President, it is not my intention today to go into any lengthy documentation of the case for Hawaii statehood. The record is formidable. It is replete with testimony that demands that the 86th Congress act without fail to make Hawaii our 50th State. For a number of years, as a member of the House committee dealing with territorial matters and as its chairman for 4 years, I was deeply involved in the question of statehood. I am convinced without question that the Territory of Hawaii has long been ready for statehood and that we will be guilty of grave dereliction if we delay any longer to bring it about.

The smoke screen of spurious arguments advanced by the opponents of Hawaii statehood has been thoroughly pierced, and in its disintegration it has been shown up for what it is—a device to hide the personal motives of the opponents of statehood.

The favorite line of the opposition has been to impugn the loyalty of Hawaii's citizenry, but the evidence shattering their accusations continues to grow in

volume and strength. In June 1953, Senator Hugh Butler, one-time foe of statehood because of possible Communist influence, made this statement at a Senate hearing:

I believe the residents of Hawaii during the past 4 years * * * have demonstrated by positive action their awareness of the Communist danger and their determination to face it frankly and never let it strengthen its foothold. During those years they have fought it boldly, have restricted its influence, and to some degree have driven it underground. I believe they have shown that they are as well able as the Federal Government to cope with this measure.

James Michener, in his article in the December 1953 Reader's Digest, came to this conclusion after an extensive study:

Hawaii does suffer from a Communist threat. So do San Francisco and Baltimore—and all America. Hawaii's problem is no different from that of any other area.

Hawaii is not a captive of the Communists. It is fighting back exactly like any mainland community. Its record is impressive.

It is no longer necessary to answer the argument of "noncontiguity." It was answered firmly and finally when Congress last year made Alaska our 49th State. And there is no need to dwell on the argument of "small population." It has been soundly refuted by the fact that Hawaii's 550,000 population exceeds that of 5 of our present States.

There remains, then, the basic question of whether Hawaii is economically, socially, and politically ready to become a State. These tests have all been met. There is no disputing the cold hard facts and figures that point up the economic prosperity of Hawaii. There is no mistaking the American culture and philosophy that dominates the lives of Hawaii's polyglot mixture. And there is no disputing the political maturity of the men and women in the legislative halls and the executive corridors of the Territory of Hawaii.

Last fall a joint congressional committee visited Hawaii. It went there with open eyes and open mind, self-consciously aware of the need to keep itself free of preconceived ideas and foregone conclusions. Members of the committee walked and rode and flew around the islands, talking to people in every phase of life, and meeting with labor and business groups and with fraternal, political, and community organizations. The committee came back enthusiastic. It came back secure in its conviction that Hawaii must become a State. In its report, the House members of the committee concluded that "admission of Hawaii, with its mixed races and its geographical position will vastly improve our posture and relationship throughout the vast Pacific area, where we are striving with all our might and means to keep 800 million free and friendly."

Hawaii will, of course, benefit immeasurably from statehood. But let us not underestimate the economic, political, and diplomatic advantages that the United States as a Nation will gain in having as a strong outpost in the Pacific a member of its "family of States." And let us not underestimate the fact that if we fail to bring Hawaii into this family we face the possibility of the Territory

becoming a Commonwealth and all that that implies—a nation that belongs to us and yet does not.

In conclusion, I desire to emphasize that the question of Hawaiian statehood is as much an international issue as it is a domestic issue. The nations in the Far East and elsewhere are watching us very closely on this. If we want to maintain their faith and confidence in us as a great democracy, we cannot afford to equivocate on this matter. There is a gap here between our pretensions and our performance. Let us close the gap by waiting no longer to make Hawaii our 50th State.

Mr. JOHNSTON of South Carolina. Mr. President, I regret very much to see the Senate rushing through at this time such an important measure as statehood for Hawaii. I remember this proposal has been before the Senate on other occasions. A few moments ago I was looking at the RECORD of 1954. At that time the proposal for Hawaiian statehood was discussed on the floor of the Senate at length.

As I remember, and according to the RECORD I have before me, I spoke for about 2 hours, opposing statehood for Hawaii at that time. There were many reasons why I then opposed statehood. I feel just as strongly today about everything I said on that occasion in opposition to statehood for Hawaii.

Some time ago the Internal Security Subcommittee saw fit to conduct an investigation concerning communism among the Hawaiians. It will be found, if the report is read, that the committee made a finding that, while the Hawaiian people as a whole were not Communists, a great many leaders in the unions were sympathetic to communism, and some of them, in my opinion, were nothing but Communists themselves. To a large extent, I think the same thing is true today. I do not believe there has been very much of a change since that time.

However, there are other reasons why I believe statehood should not be granted to Hawaii at this time. One of the main reasons, as I have always contended, is that the United States of America should really be the United States of America. When we reach out to a distant territory—in this instance it is a group of islands—located approximately 2,500 miles from our western shore, and admit it into the Union as a State, I want to warn Senators who vote for such a bill that no nation in the world which has ventured out so far to make a Territory a part of itself has done so without being destroyed because of such action. We can observe what happened to the Roman Empire.

There is another reason for my position. I look at the matter purely from the standpoint of the good people of Hawaii. What do we find? It might become a little burdensome for the people of Hawaii to finance statehood. I think the Alaskans are feeling that way to some extent right now. Some of the people of Alaska are beginning to feel the pinch of statehood. If we could wait a couple of years more I think the people of Hawaii might find out from the people of Alaska what it means to be a State.

Government employees stationed in Alaska are receiving extra pay under the Civil Service law provisions. That happens, I know, because I am Chairman of the Committee on Post Office and Civil Service. We pay people who go to Alaska and who stay there an extra amount of money because they go outside the United States to work. What are Senators going to do about that when the questions comes before the Senate? Are we going to treat one State any different from another State? The same thing will be true with respect to Hawaii. What are we going to do? Are we going to give preferential treatment to people who work in the United States? That is a question which is going to come before the United States Senate very soon. I for one, think all States should be treated alike in regard to matters of that kind.

Yes, I oppose statehood for Hawaii at this time. Of course, the Hawaiians have been told it is a great thing. I have contended Hawaii should become a commonwealth. The Hawaiians could do as Puerto Rico did, and they would be far better off.

I make the prediction that the majority of the people of Hawaii will be saying that is true in the next 2 or 3 years.

There is not involved the question of making the Hawaiians inferior citizens simply because we do not make Hawaii a State. We have other islands. What are we going to do with respect to the other islands when they ask to become States? What is the limitation?

Mr. President, realizing that what I may say here today, tomorrow or the next day, should this go on, is going to have very little effect upon the votes in the Senate, if any, to conserve time I am going to ask the Senate to grant unanimous consent that I may print some remarks on this subject in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

It is a serious matter, Mr. President, that we have under consideration today, when we are preparing to vote on the question of whether we shall admit a Territory which is located thousands of miles out in the Pacific Ocean. If we admit the Territory of Hawaii to statehood, what can we say to Puerto Rico when she desires to come into the Union? What can we say to Guam when she desires to enter the Union? What could we say to the Philippines if they should desire to enter the Union as a State?

I am warning the Senate that the areas I have mentioned and many more, will be knocking at our door. I predict that requests for statehood will come from as far away as Italy. Italy will want to be a State of the United States. That is already being talked about in Italy. I am warning the United States again that if we try to spread out we shall begin to deteriorate.

Study the history of other nations which have arisen in the past and note that when they extended their borders unduly, they met their downfall.

What is best for these United States is the question that concerns me. Glossy statements about the example we may set for the rest of the world, and in the Pacific area in particular, have not the slightest appeal either to my reason or sentiment. Such puerility of thought should be addressed to the kindergarten classes. I am here, to use

the favorite expression of another of my predecessors, as an ambassador to the U.S. Senate from the sovereign State of South Carolina, to help legislate and formulate a national policy for the good of the United States. The rule for my conduct is what the people of South Carolina and of the United States think of me as I perform my duties in keeping with what light and conscience the Almighty has seen fit to endow me.

What others may think of me—in foreign lands, in the Pacific, in Russia, in the Far East, or in Hawaii, if you please, or elsewhere—influences me very, very little. I am not at all persuaded by an internationalist press nor by any of its wings, left, right, or center. We are here to legislate for what is good and for what is best for these United States as a whole. If not, we ought to go home. That is our sworn constitutional duty, our prime responsibility, and the main purpose for our presence in this body.

My record on the foreign "giveaway" programs is singularly consistent. This proposal, in my judgment, is just another phase of a philosophy of looking out for the welfare of others and utterly neglecting our own.

Mankind has made great and unique progress since July 7, 1898, when these islands were dealt to us under the table as a Territory. But 12 inches still make a foot; 3 feet still make a yard; 24 hours still make a day. The Constitution of the United States, so far as admitting new Territories and new States is concerned, remains unchanged. The precepts and warnings of our great forebears still remain the wisest counsel.

I am thankful that the admission of the Hawaiian Islands as a Territory, on that hot day in July of 1898, was not then, and is not now, considered a party question. Both parties have endorsed the proposition. Neither has been right.

I am one who feels that generally party platforms should be followed; but a platform is something on which to try to get into office, and is not used thereafter, anyway. All of us know how the planks of a platform are adopted at national conventions. I have attended conventions. We are told, "We must adopt this. It will not do any harm, so let us put it in." Of course, that is not said openly, but it is true, nevertheless. Neither convention apparently has studied the proposition with sufficient care to pass impartial judgment on it. Someone sometime ago said that our Republic would have been destroyed long ago if the party in power had adopted all the political planks in its platform. I believe that statement to be true. The admission of these islands as a Territory, in my judgment, constituted a fraud in 1898. If we admit them now as a State, we perpetuate that fraud. Nowhere in the Constitution is there power to expel a State. That is something which must be remembered. The Constitution makes it easy for a Territory to come into the Union, but once a State, it is impossible to get it out. When the Constitution was adopted, our Founding Fathers never had in mind anything such as is now proposed ever happening. If they had, they would have included some protection. But it must be remembered that the Thirteen Original States were closely knitted together.

Now it is proposed to separate the United States. Someone has said that a country divided against itself will fall, or words to that effect. Certainly the United States will become divided if a Territory far out in the Pacific Ocean, 2,100 miles from the mainland is to be admitted as a State. The most we should do is to guarantee it a republican form of government. Sovereignty over these islands now is vested in Congress. If we divest ourselves of it, it will be gone not for a while; it will be gone forever. Our ability to recall a mistake will be forever lost, if this bill passes. If a Senator has in his

mind any doubt at all about this proposal he should vote against admission, because he never will have an opportunity in the future to undo his mistake.

I cannot scan the debates on the admission of these islands as a Territory without a feeling that all the precedents theretofore established for the admission of new lands as Territories were violated; even, I conclude, the intendments and spirit of our Constitution were violated. Once having been violated, to admit the islands now as a State would be merely a prolongation and perpetuation of an original wrong. Shall we give our stamp of approval to an improper act?

In conclusion, Mr. President, I call the attention of the Senate to the fact that every great nation which finally has fallen or disintegrated first had passed through a period of annexation and expansion leading to a state of weakness. I hope the United States of America will not have that experience. After all, today the United States of America is the strongest nation in the world, not only financially, but from the standpoint of having one of the best governments. Taking the people of our country as a whole, I think they are the best in the world. Certainly I believe the United States of America is the most Christian nation in the world.

Regardless of the Senate's decision on the pending measure, I believe that so long as the United States leans upon God for guidance and help our Nation will continue to exist. However, if America expands, becomes greedy, and forgets God, she will be destroyed.

Mr. COOPER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at a point prior to the vote on the Hawaiian statehood bill a statement which I have prepared on this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

As one of the many cosponsors of S. 50, I join my colleagues in expressing deep satisfaction that the U.S. Senate has played a noble part today in providing for the early admission of the State of Hawaii to the Union. Hawaii has met every legal test and precedent for statehood. Its people have met the test of loyalty to this Nation's institutions and flag by unparalleled valor in battle, and devotion in times of peace. The heterogeneity of her people will add new sources of ability and creativeness to enrich our Nation. We can congratulate her people and the Nation on the admission of Hawaii as a State.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

Mr. JAVITS. Mr. President, I shall take only 1 minute. I served for a short time in Hawaii during World War II. I wish to pay my tribute to this great Territory, which I hope very much and expect will very shortly become a State.

Mr. President, taking into statehood this outpost in the Pacific, with its heterogeneous population is one of the most outstanding contributions we can make to the foreign policy of the United States. By doing so we are demonstrating to the world the fact that this is a dynamic and virile nation. We are not static. We

have a warm heart and understanding for all people.

I think this will become not only an historic admission to statehood but an historic landmark in the foreign policy of the United States.

Mr. President, I congratulate the people of Hawaii. I know they will perform their obligations and their responsibilities to the people of the United States with the same dignity and capacity—indeed, with the same heroism—which they evidenced in World War II, when I saw them at close range.

SEVERAL SENATORS. Vote! Vote! Vote!
Mr. JOHNSON of Texas. Mr. President, I shall be very brief. The pros and cons on this issue have been debated thoroughly. There is nothing I can add which will affect the outcome. I merely wish to congratulate the country on the addition of a new State, and to welcome Hawaii as a State on a parity with the other 49.

This is an important day for our people and our country, and I ask that the Senate now proceed to vote.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS], is absent because of illness.

I further announce that, if present and voting, the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Wyoming [Mr. O'MAHONEY], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], is absent on official business.

The Senator from Nebraska [Mr. CURTIS], is necessarily absent.

The Senator from Iowa [Mr. MARTIN], is absent by leave of the Senate on official business of the Committee on Aeronautical and Space Sciences.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Nebraska [Mr. CURTIS], and the Senator from Iowa [Mr. MARTIN] would each vote "yea."

The result was announced—yeas 76, nays 15, as follows:

YEAS—76

Allott	Cooper	Jackson
Anderson	Cotton	Javits
Bartlett	Dirksen	Johnson, Tex.
Beall	Dodd	Jordan
Bennett	Douglas	Keating
Bible	Dworshak	Kefauver
Bridges	Engle	Kennedy
Bush	Ervin	Kerr
Byrd, W. Va.	Frear	Kuchel
Cannon	Goldwater	Langer
Capehart	Green	Lausche
Carlson	Gruening	Long
Carroll	Hart	McCarthy
Case, N.J.	Hartke	McGee
Case, S. Dak.	Hayden	McNamara
Chavez	Hickenlooper	Magnuson
Church	Holland	Mansfield
Clark	Hruska	Monroney

Morse
Morton
Moss
Mundt
Murray
Muskie
Neuberger
Pastore

Prouty
Proxmire
Randolph
Saltonstall
Schoeppel
Scott
Smith
Symington

Wiley
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—15

Butler
Byrd, Va.
Eastland
Ellender
Fulbright

Hill
Johnston, S.C.
McClellan
Robertson
Russell

Smathers
Sparkman
Stennis
Talmadge
Thurmond

NOT VOTING—7

Aiken
Curtis
Gore

Hennings
Humphrey
Martin

O'Mahoney

So the bill (S. 50) was passed.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the Hawaiian statehood bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Washington to reconsider the vote by which the bill was passed.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, first I wish to pay tribute to the distinguished Senator from Washington [Mr. JACKSON] for his diligence and effectiveness in connection with this very important piece of legislation. Except for his diligence we would not have passed the bill as it has been passed by the Senate.

I also wish to commend and congratulate my good friend, Delegate BURNS of Hawaii, whose outstanding statesmanship displayed since coming to Congress as a Delegate has brought about the happy result we have witnessed this evening. I thank the Senate for its prompt action.

Mr. MAGNUSON. Mr. President, I believe the Senator from Texas will agree with me in what I have to say. Of course, my colleague from Washington has done a grand job on this bill. However, I believe that the Senate should pay special tribute tonight to one of the great Members of the Senate, the distinguished senior Senator from Montana [Mr. MURRAY]. He is the first Senator, I understand, in 46 years who has presided over a committee which has reported bills admitting two States to the Union. I know my friends from Alaska will join me in that tribute.

Mr. DIRKSEN. Mr. President, since our distinguished friend from Montana has brought in two States, I hope he will not become too generous before the session is over. [Laughter.]

Mr. JACKSON. Mr. President, I thank and congratulate my colleagues on both sides of the aisle for their expeditious and reasoned consideration of statehood for Hawaii. I believe that a thorough study of Senate proceedings will show that we have set a record for major legislation, from hearings 2 short weeks ago to passage tonight.

Mr. President, this record was made possible by the full and complete support of the bill by the distinguished

majority leader [Mr. JOHNSON of Texas] in scheduling it promptly for Senate consideration, ably supported and assisted at all times by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN].

I believe it is important to repeat from my opening statement today that no one can accuse the Senate of acting in mad haste by passing on Hawaiian statehood after a single day of debate. The reverse is true. The swiftness with which the Senate has acted and with which the House is acting is evidence that all aspects of statehood for Hawaii have been considered thoroughly.

We have done a noble thing. We have kept faith with our fellow Americans in Hawaii. We have demonstrated again the dynamic nature of our American democracy.

Statehood for Hawaii is a significant victory, not only for Hawaii, but for all America and for freedom-loving people everywhere.

I wish to associate myself with the remarks previously made by the distinguished majority leader with reference to the wonderful assistance given by the Delegate from Hawaii [Mr. BURNS]. I, too, wish to congratulate the chairman of the Committee on Interior and Insular Affairs, the distinguished senior Senator from Montana [Mr. MURRAY], who has won great honor as chairman of his committee in seeing two States admitted into the Union in less than 1 year.

Mr. JOHNSON of Texas. Mr. President, I am very proud that the report of the committee in reporting the statehood bill to the Senate was a unanimous report. I congratulate the senior Senator from Montana [Mr. MURRAY] and the junior Senator from Montana [Mr. MANSFIELD] for their work. The junior Senator from Montana did noble work on the floor of the Senate today in helping to bring about this result.

Mr. HOLLAND. Mr. President, I believe that for the record it might be well to call attention to the fact that when the debate on the Hawaiian statehood bill started, the Senator from Alaska [Mr. GRUENING] was presiding over the Senate, and that when the debate ended and when the vote began the Senator from Alaska [Mr. BARTLETT] was presiding. It indicates rather clearly that the new States know how to fulfill their full functions in the Senate. I congratulate both of them for their activities in this matter.

Mr. MANSFIELD. Mr. President, I wish to join in the compliments being paid to everyone except the compliments that are being paid to me.

I especially wish to commend my distinguished senior colleague from Montana [Mr. MURRAY] for the statesmanship he has shown and for the drive and the initiative he has manifested in bringing two statehood bills to the floor of the Senate in less than 1 year.

I also wish to pay a special tribute to the Senator from Idaho [Mr. CHURCH], who, as in the case of Statehood for Alaska, worked hard and diligently in behalf of Statehood for Hawaii. The Senator from Idaho has made a real con-

tribution to the betterment of our country in helping to bring these Territories into the Union.

In addition to the tributes which have been paid to the Democratic members of the Committee on Interior and Insular Affairs, I believe we should not lose sight of members of the committee such as the Senator from Idaho [Mr. DWORSHAK], the Senator from California [Mr. KUCHEL], the Senator from Arizona [Mr. GOLDWATER], the Senator from Colorado [Mr. ALLOTT], and the Senator from Iowa [Mr. MARTIN], each of whom made a distinct contribution. The report of the committee was a unanimous report. I am delighted that on this great day for Hawaii the delegate from Hawaii should be in attendance at this session, because he has done so much to further the cause of statehood for Hawaii.

I hope that the House on tomorrow will follow suit in the action the Senate has taken today, and that soon the bill will receive the President's signature. I hope that before long we will have two Senators from the State of Hawaii, and one Representative in the House.

Mr. JOHNSON of Texas. Mr. President, I wish to associate myself with the tribute paid to the minority leader and to the Senator from Idaho [Mr. CHURCH].

Mr. LONG. Mr. President, in addition to the tributes which have been paid to the other Senators, in which I join, I should like to pay tribute also to the majority leader, under whose leadership we have resolved some of the most difficult and trying problems which this Nation has had to face.

During the 10 years I have been in the Senate, it has been my privilege to support statehood for Alaska and statehood for Hawaii in connection with the bills which have been placed before us.

Unfortunately, although those bills were debated for a long time, nothing ever happened. Now we have settled the troublesome issues of Alaskan statehood and Hawaiian statehood, and we have done so with less discussion than in previous years was required merely to talk about one of these bills. It is a great tribute to our majority leader. He has a way of getting people to work and pull together to achieve something with less wasted effort and more results.

Mr. DIRKSEN. Mr. President, I should like to make three comments. The first is that there comes to mind the rather tumultuous discussion we had about changing rule XXII. Here is evidence of how the Senate can work its will if it wishes to do so.

Secondly, I should like to say that our distinguished Vice President was in the chair when the vote was taken both on this action, and when the Alaska statehood issue was resolved in the Senate.

Finally, I wish to congratulate and compliment my colleagues on the minority side. On the entire vote there was only one dissent on the minority side, and I am genuinely proud of it.

Mr. JOHNSON of Texas. I should like to say that it would not have been possible to bring about the result which has been brought about except for the

complete and thorough cooperation of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] on this bill, as on all others. I appreciate his help.

Mr. DIRKSEN. I thank the Senator.

CORRECTION OF THE RECORD

Mr. SMATHERS. Mr. President, on page 3203, near the top of the page, I am quoted as having said:

If they in their wisdom believe that the people who now patronize the commuter service are entitled to some continuance of it, then I think the Federal Government will have to arrange either to participate in the expense or, possibly, volunteer to take over the ownership.

Mr. President, I ask that the word "Federal" be changed to "local," so as to read "local government." I ask that

the permanent RECORD be changed accordingly.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The correction will be made.

BUSINESS REVIEW IN CERTAIN CITIES

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a business review made in cities in America in which a corporation in which I am interested does business. This review will serve to show my colleagues who are downhearted that there are bright spots in the country where people wish to help themselves.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

Business review in Atkins' cities¹

	Annual rate, latest month		Extent of unemployment, January 1959	Employment compared to year ago, percent	Department stores compared to year ago, December 1958, percent
	Average worker's income ²	Income compared to year ago, ² percent			
Albany, N.Y., area.....	\$4,934	+1.7	Substantial	-4.6	+2
Baltimore, Md.....	4,878	+6.4	do.....	-1.0	+10
Boston, Mass.....	4,352	+6.3	Moderate.....	-1.6	+9
Charlotte, N.C.....	3,512	+9.6	do.....	-.3	(3)
Hartford, Conn.....	4,782	+7.4	do.....	-1.3	(3)
Philadelphia, Pa.....	4,702	+4.4	Substantial	-2.1	+12
Providence, R.I.....	3,710	+5.0	do.....	-.8	(3)
Richmond, Va.....	4,011	+3.2	Moderate.....	+1.2	+2
Rochester, N.Y.....	4,871	+3.9	do.....	-3.6	+12
Washington, D.C.....	4,968	+8.7	Slight.....	-.5	+13
Chicago, Ill.....	5,096	+5.5	Substantial	-4.6	+8
Cincinnati, Ohio.....	4,801	+6.5	Moderate.....	-3.5	+3
Cleveland, Ohio.....	5,330	+3.3	do.....	-11.6	+5
Dallas, Tex.....	4,210	+4.1	do.....	-4.0	+6
Grand Rapids, Mich.....	4,825	+5.3	Substantial	-3.1	+6
Indianapolis, Ind.....	(3)	(3)	Moderate.....	-4.8	+10
Kansas City, Mo.....	4,876	+5.6	Substantial	-1.9	+13
Knoxville, Tenn.....	4,297	+4.4	do.....	-3.3	+9
Memphis, Tenn.....	3,761	-5.7	do.....	-2.1	+13
Milwaukee, Wis.....	5,043	+4.5	Moderate.....	-4.0	+5
New Orleans, La.....	4,402	+7.2	do.....	-3.2	+5
Omaha, Nebr.....	4,848	+11.0	do.....	-.7	+11
St. Louis, Mo.....	4,994	+7.0	Substantial	-3.2	+9
Denver, Colo.....	4,993	+6.2	Moderate.....	-.3	+10
Los Angeles, Calif., area.....	5,176	+6.4	do.....	+2	+11
Phoenix, Ariz.....	5,068	+12.6	do.....	+6.6	+9
Salt Lake City, Utah.....	4,646	+3.6	do.....	+7	+12
San Diego, Calif.....	5,409	+12.2	do.....	+2.4	+8
San Francisco, Calif., area.....	5,352	+6.8	do.....	+5	+4
Spokane, Wash.....	5,605	+13.5	Substantial	-1.3	+6
Median.....	4,871	+6.2		-1.6	+9

¹ Frederiek Atkins, a buying office, 11 West 42d St., New York City.

² Factory earnings.

³ Not reported by Government agencies.

⁴ Factory employment only.

NOTE.—"Slight" unemployment means less than 3 percent of labor force, "moderate" means 3 to 5.9 percent, "substantial" means 6 percent or more.

Source: U.S. News & World Report, Feb. 20, 1959.

FEDERAL ASSISTANCE FOR THE GARRISON MEMORIAL HOSPITAL AT GARRISON, N. DAK.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a resolution adopted by the Junior Chamber of Commerce of Garrison, N. Dak., together with a statement I prepared on the subject.

There being no objection, the resolution and statement were ordered to be printed in the RECORD, as follows:

RESOLUTION OF JUNIOR CHAMBER OF COMMERCE, GARRISON, N. DAK.

Whereas the Garrison Junior Chamber of Commerce is an organization comprised of young men who accept the responsibility of constructive action in the affairs of their community; and

Whereas the Garrison Memorial Hospital is in dire need for added facilities to accommodate for the large number of Indian patients it is taking in, which will in turn enable them to better care for all patients in the hospital; and

Whereas under Public Law 85-151, the Garrison Memorial Hospital is trying to receive aid, through the Federal Indian Agency, to increase their facilities, to better

care for the large number of Indian patients they take in; and

Whereas the city of Garrison would be an excellent location for this hospital addition, due to the fact that most of the Indian population comes to the Garrison Hospital to receive medical care and treatment; and

Whereas the city of Garrison has a hospital which was so constructed that it could be added on to quite easily, if the need arose; and

Whereas the Garrison Memorial Hospital has one of the finest groups of medical doctors, surgeons, and technicians for any town our size in the State of North Dakota; Now, therefore, be it

Resolved, That the Garrison Junior Chamber of Commerce duly assembled in general membership meeting, this 17th day of February 1959, do hereby support, and go on record as supporting, the Garrison Memorial Hospital in their request for Federal aid for this hospital addition; and be it further

Resolved, That a copy of this resolution, bearing the signature of the president and secretary, be forwarded to all Members of Congress from the State of North Dakota, the Indian health area officer, the North Dakota State Health Department, and to the delegate and councilmen, National Congress of American Indians.

DARWIN W. JOHNSON,
President.

RICHARD RASCH,
Secretary.

STATEMENT BY SENATOR LANGER

Sister M. Angele, O.S.B., administrator of the Garrison Memorial Hospital, Garrison, N. Dak., on behalf of her hospital, has been in constant touch with me pertaining to obtaining Federal assistance under title VI of the Public Health Service Act as part of the Hill-Burton assistance program.

The hospital serves a large number of Indian patients as well as non-Indian patients in that area. We have received many letters and petitions from North Dakota constituents, urging that everything be done to facilitate the obtaining of funds under Public Law 85-151 which permits funds for construction of additional facilities.

Representative of the letters and resolutions that we have received is one from the Junior Chamber of Commerce at Garrison, N. Dak., which I ask unanimous consent that it be entered at the end of my remarks.

I am happy to report that Dr. James R. Shaw, assistant surgeon general, Chief, Division of Indian Health, as well as other aids in the Department of Health, Education, and Welfare, Public Health Service, have been most cooperative in this matter.

JUVENILE DELINQUENCY

Mr. LANGER. Mr. President, as ranking Republican member on the U.S. Senate Subcommittee To Investigate Juvenile Delinquency since its inception, I have had an opportunity to hear the country's outstanding experts on juvenile delinquency. The subcommittee has done a remarkable job in trying to stem the tide of this No. 1 social menace in our country.

We know that juvenile delinquency has been increasing at a rate of approximately 7 to 8 percent each year since the beginning of 1949 which, over a 10-year period, has reached a phenomenal total of approximately 70 percent over the statistics for the year of 1948. This, of course, includes only the known cases of juvenile delinquency and not those that go unapprehended.

This evening I do not intend to go into full discussion of the problem of juvenile delinquency but would like to confine my remarks on a recent article and editorial in the Washington Evening Star, which commented on the testimony of the judges and other experts on juvenile delinquency in the New York City area at a hearing before the U.S. Senate Juvenile Delinquency Subcommittee. The newspaper articles highlighted the fact that these witnesses related to parental delinquency as a primary cause of the juvenile delinquency problem.

The GAPA, a civic organization, wrote a letter to the editor of the Washington Evening Star raising numerous questions that must be resolved in order to correct adult and parental delinquency if the premise is that juvenile delinquency is caused primarily by adult and parental delinquency.

The letter to the editor is as follows:
To the Editor:

Your article and editorial referring to the testimony of judges before the U.S. Senate Juvenile Delinquency Subcommittee relating to parental delinquency is timely and goes to the very heart of the juvenile delinquency problem. If the premise is that juvenile delinquency is caused by adult or parental delinquency, then what should be done to correct adult or parental delinquency? Here are some questions that must be resolved:

1. Is each community providing adequately trained family and child guidance clinics to reach families that cannot cope with the many family problems that may lead to delinquencies?

2. Is each community or neighborhood adequately cleaning up the existing conditions which foment into adult delinquency and parental delinquency, resulting in certain amount of juvenile delinquency?

3. Is each school, public or private, providing guidance to the soul as well as guidance to the brain?

4. Is each parent aware of his parental responsibility to his child; and then is he competent to cope with that parental responsibility?

5. Is each church providing adequately trained marriage and parental counseling services for parents and prospective parents?

6. Is each church exerting its fullest effort to encourage church and Sunday school attendance of youth who may have delinquent tendencies? Are parents of these children encouraged to attend church regularly?

7. Is each church providing adequate programming for the youth membership to assure moral guidance?

8. Is each church assuming its obligation in accepting referrals, from the juvenile bureaus of juvenile courts, of youth of its faith or denomination?

9. Is each church providing use of its church buildings and grounds for youth recreation, especially in underprivileged neighborhoods or does each provide expert recreational and guidance leadership to aid their youth?

10. One expert noted that 10 percent of the families are provided with 90 percent of public welfare and social welfare services and that many delinquents come from these families. Will concentration on alleviating the problems of this 10 percent of families curtail juvenile delinquency?

11. What can be done to reach the parents of the well-to-do families who do not know the difference between loving and pampering a child; and further between disciplining and punishing a child, resulting in needless cases of juvenile delinquency among well-to-do families?

The Greek American Progressive Association (GAPA) endorses the Senate Juvenile Delinquency Subcommittee's program of uniting all national service and fraternal organizations into coordinating their efforts in an all inclusive program to wipe away adult and parental delinquency and thereby aid in curtailing and controlling juvenile delinquency. GAPA offers its services locally and nationally in solving our No. 1 social problem.

GREEK AMERICAN PROGRESSIVE
ASSOCIATION,
JOHN BROUMAS,

Honorary President.

WASHINGTON, D.C.

Mr. President, of course we cannot blame all acts of juvenile delinquency against the parents, for there are many parents who love their children, give them the best of everything, including parental love and discipline, and yet acts of juvenile delinquency are committed. Recently such a situation occurred in the home of one of the greatest catchers in the history of major league baseball—a fine gentleman and man who has been an outstanding worker in juvenile delinquency programs—namely, Roy Campanella of the Los Angeles Dodgers.

Roy Campanella gave his children good schooling, a good home life, and the fine attributes that he always displayed on and off the baseball field; and as he stated:

I try to teach my own youngsters the right way in life.

In this instance we have to look beyond just the issue of the role of the parents in rearing their children and consider the role of the community, of the church, and of the schools who have very much to do with the character building of every child. That is why I believe that the questions raised in the above letter are so apropos.

Mr. President, I direct the Senators' attention to a statement in the CONGRESSIONAL RECORD, which I had inserted, of May 7, 1958, on page, 7363, on the subject of "The Role of the Church and Community in Rearing Youth." This article points out what must be done by the churches and its members as a community group in properly rearing their children and thereby combating juvenile delinquency.

Mr. President, it is only when each individual parent who, combined with other individual parents, individually and as a group, become so aroused to the problem of juvenile delinquency that effective action and measures will be taken to control our No. 1 social problem.

An aroused, alert, and coordinated community can do most anything. Corrupt governments and despots have been overthrown; gangsters have been run out of town; gamblers and houses of ill fame have been shut down. Cities have been saved from raging floods and disease-infested areas have been cleared to save the people from plagues.

The combating of juvenile delinquency requires funds, expert personnel, coordinated activity by public and private agencies, by public relations and education. To get funds and expert personnel, it requires concerted effort by the people of a given community to impress upon the city council, the State legislature, or the Congress of the United

lems facing us all, and as I see it the answer, culminating in the decision of the city of Dallas.

Let me mention several problems facing exponents and opponents of urban renewal with Federal aid. We all approve urban renewal, the rehabilitation of run down property. It is the question of Federal aid that brings these dangers to the fore.

First. To those who believe in constitutional government in eminent domain—that private property can be taken for public use for just compensation—let me point out that now private property can be taken through eminent domain for private use.

Second. To Supreme Court critics let me point out that this Supreme Court has redefined eminent domain so that private property can be taken for spiritual and esthetic reasons as a 15-man Redevelopment Board may decree, or for reasons of well-balanced planning.

Third. To those interested in small business, let me point out that the two-thirds shrinkage value Federal expenditure holds the greatest possibility for windfall profit at John Doe taxpayer's expense that big businessmen have ever been extended.

Fourth. To those who favor constitutional appropriation of public moneys let me point out that urban renewal sets up procedures for direct Federal expenditures bypassing Congress.

Fifth. To those who criticize public housing for whatever reasons, let me point out that public housing is, by definition, part and parcel of the relocation problem, so decreed by the urban renewal administration.

These are some of the dangers and problems facing us in the urban renewal problem, just below the surface, like the lurking danger of the iceberg, and there are other dangers.

It is my hope that my colleagues in good conscious, can find time to scan these brief studies of urban renewal I submit for your consideration.

RESOLUTION IN FAVOR OF STANDING FIRM IN BERLIN

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD and include a resolution.)

Mr. PELLY. Mr. Speaker, it is heartening to find the American people are solidly back of the President in his determination to hold the line in Berlin.

I include in the CONGRESSIONAL RECORD at this point the following resolution in support of such a policy passed by the Board of Associated Republican Women in Seattle, Wash., on March 5, 1959, and sent to me by the board president, Mrs. Henry B. Morris:

Whereas the Berlin situation is clearly the most dangerous and explosive issue facing the Nation and the world at the present time; therefore, be it

Resolved, That the Associated Republican Women stand firmly behind President Eisenhower in his determination to hold the line against any move that might weaken the Western position and thereby increase the influence of the Soviet Union.

HAWAII STATEHOOD

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 205) providing for the consideration of H.R. 4221, a bill to provide for the admission of the State of Hawaii into the Union, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union. After general debate, which shall be confined to the bill, and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

(Mr. O'NEILL asked and was given permission to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, House Resolution 205 makes in order the consideration of the bill (H.R. 4221) providing for the admission of the State of Hawaii into the Union, as introduced by Congressman O'BRIEN of New York.

The House and Senate Interior and Insular Affairs Committees have held 22 hearings on the subject of statehood for Hawaii since 1935. More than 850 witnesses have been heard in the Territory and in Washington. Seven of the hearings were held in Hawaii. In addition, at least 12 reports have been made.

The question of admitting Hawaii to statehood has been longer considered and more thoroughly studied than any other statehood proposal that has ever come before the Congress.

The area of Hawaii, or the Hawaiian Islands, is comprised of a semitropic archipelago in the north Pacific Ocean and is composed of a series of islands stretching over 1,900 statute miles approximately of the size and length and area of Connecticut and Rhode Island combined. There are 8 main islands which are situated within a distance of 350 miles of each other and they are populated by over 600,000 people. This statehood bill refers to these 8 main islands. The history of Hawaii in connection with the United States is most interesting.

In 1820, New England missionaries introduced the Christian religion to Hawaii. From that time forward the ties of trade and friendship between the United States and Hawaii grew progressively stronger. In 1940 the people of Hawaii adopted their first constitution, modeled along the lines of the United States Constitution. A treaty was drafted at the request of President Pierce in 1854, including in its terms the assumption that the constitutional monarchy would become a State after

the example of California and Texas. Although this treaty was never ratified because of the death of the Hawaiian King, the idea of statehood propounded by the President of the United States did not die.

A revolution later established a republic of Hawaii and annexation was again urged, but the treaty then pending in the U.S. Senate was withdrawn by President Cleveland upon his inauguration. On September 9, 1897, the Senate of the Republic of Hawaii ratified the treaty between Hawaii and the United States which had been signed the previous June. The following year Senate Joint Resolution 55 of the 55th Congress was adopted and approved, annexing to the United States the Hawaiian Islands and their dependencies.

Beginning in 1903 the Territory of Hawaii, through its legislature, has petitioned Congress for statehood on at least 17 different occasions. Since 1920 no fewer than 66 bills have been introduced in successive Congresses providing for statehood.

In June 1947, the House of Representatives passed legislation approving statehood for Hawaii by a vote of 196 to 133. This was the first time either House of our Congress had acted on a Hawaiian statehood measure. Although President Truman indicated that he would sign the bill, the Senate committee decided on further investigation.

In March 1950, the Hawaii statehood bill again passed the House by the overwhelming majority of 262 to 110. The Senate Committee on Interior and Insular Affairs reported the measure out in June 1950 but because of pressing matters of international concern the bill did not reach the Senate floor before adjournment.

Before the 82d Congress was 5 months old, the Senate committee had repeated its endorsement of the Hawaii statehood bill, but again the bill was not brought up for debate.

On March 10, 1953, the House of Representatives for the third time passed and sent to the Senate a Hawaii statehood bill, by a vote of 274 to 138.

On April 1, 1954, the Hawaii-Alaska Enabling Act was passed by the Senate by a vote of 57 to 28.

In the 84th Congress statehood for Hawaii and Alaska was considered jointly in comprehensive hearings. On May 10, 1955, Congressman ENGLE's bill, H.R. 2535, was recommitted by the House to the Committee on Interior and Insular Affairs by a vote of 218 to 170.

On August 23, 1958, in the closing days of the 85th Congress, the committee, by a vote of 22 to 4 reported H.R. 49, introduced by Delegate BURNS, but the bill was not scheduled for floor debate.

An interesting question now comes up in connection with statehood: What does it amount to? What does it mean to a Territory to become a State? It means the following:

A State has two Senators, and in this instance Hawaii will have one Representative in Congress. They will elect their own State government, Governor, and constitutional officers; they will be able to participate in the choice and the election of the President and Vice Presi-

dent of the United States. Automatically they participate in Federal grants to education, health, highways, and other public improvements. They will be governed by officials of their own choosing, rather than by a Federal administrator. They will have latitude in law-making by their own legislature without the discretion of the President and the Congress; and they will be free from the overlapping of Federal and local authority. Judicial functions will be carried out in their own courts by the local authorities rather than by Federal employees, and they will enjoy the enhancement of prestige and pride of becoming and being an active American able to participate in his government.

During the years that I have been in Congress here I have in the past voted in opposition to Alaska. I voted in opposition to Hawaii. I went along with the arguments of noncontiguity, that I did not believe Alaska should be admitted, and I did not believe Hawaii should be admitted. I wondered about the economy of the area; I wondered about the population, as to whether or not it was fair to us in the case of Alaska with only 150,000 people that they should have 2 Members of the Senate, while New York, with 16 million inhabitants, has only 2 Senators; and in the case of Hawaii why they should have 2 Members in the Senate and 2 Representatives in the House with a population of 600,000, whereas Massachusetts with a population of 5 million has but 2 Senators.

And I wondered about the stories I heard of communism and Communist influence in both Alaska and Hawaii.

In the past I voted in opposition to the admission of Hawaii to statehood and last year I opposed Alaska. I can truthfully say that I have become a convert, but I believe that Hawaii is more deserving throughout the years to be admitted to statehood than is Alaska. We have the problem of land. Ninety-eight percent of the land of Alaska was owned by the people of America. In Hawaii the land is owned by the people who live in Hawaii. The economy of Hawaii is excellent.

During World War II it is interesting to note the distinguished record established by the men of Hawaii. The Chief of Staff referred to it as being written in the American Battle History in Europe and Asia. In World War II, for example, the 100th Infantry Battalion and the 442d Combat Team from Hawaii, composed of so-called Japanese-Americans, formed what has been described by Gen. Mark Clark as the most decorated unit in the entire military history of the United States.

When we have people of that caliber in Hawaii, I have no fear of the Communist problem that may exist over there.

Mr. Speaker, this rule provides 6 hours of general debate and it is an open rule.

Mr. Speaker, I now yield 30 minutes of my time to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, all of us, I am sure, realize that the gentleman from Massachusetts has made a very thorough study

of the problem in regard to Hawaii. He is familiar with the history and is certainly correct when he says that the people of Hawaii have petitioned the Congress of the United States to become a State in the Union since 1903. He was also correct in saying that the Legislature of Hawaii has petitioned the Congress to become a State 17 times since 1903.

But the fact remains that during those years, over 50 years, there must have been some good reason why past Congresses hesitated and did not permit Hawaii to become a State. So I believe I say in good grace that inasmuch as 25 or 30 previous Congresses have not seen fit to permit Hawaii to become a State, I may state my objections and why I do not believe Hawaii should be permitted to become a State.

Many objections have been brought forth during this half century. Let me say at the start that the life blood of Hawaii is shipping. Many witnesses appeared before the Rules Committee in regard to that point, and no one so far has contradicted them. Even though I asked several to contradict these witnesses to rebuke those accusations, I found that without exception every witness said that Harry Bridges and Jack Hall, men I have never known, control the life blood of Hawaii. It was said by several witnesses that Harry Bridges for certain reasons was ordered to be deported from this country at one time. They say that without question they are the rankest labor leaders and not only control the labor unions of Hawaii but also are very influential perhaps in controlling the cultural activities of the Territory of Hawaii.

So, I say, that is one of the objections. And, I am sure that you all realize the importance of shipping as far as Hawaii is concerned. It is different in the States. Furthermore, we have powerful labor leaders in this country who probably are just as leftist as Mr. Hall or Mr. Bridges, but the fact remains that Hawaii's economy is based principally on shipping, which cannot be comparable to shipping as it affects the various States of the Union, because various other means of transportation are to be had. But, in Hawaii it is strictly a shipping proposition.

Another objection that was heard throughout the years against Hawaii being brought into the Union was that many Congresses have felt that inasmuch as the people of Asiatic descent greatly outnumber the people of white blood, that that is also a question that should be taken into consideration. The fact that there are so many more people of Asiatic descent there in those islands undoubtedly had some influence in previous Congresses for not permitting them to come into the Union.

Now, in regard to contiguous territory, I personally am aware in the organizing our 48 States they went across the continent to build a greater America. So, for that reason, these States like Nevada and others were permitted to come into the Union, because they wanted the territory to become States to reach all the way to California, even

though the population of these States were extremely small. And we are all aware of the importance of the development of the West and its benefits.

Now, the gentleman from Massachusetts also mentioned the matter of representation. Now, as we know, in the State of New York, for instance, they have 16 million people; California about 14 million people; and Illinois about 10 million people. The 1957 census showed the population of Hawaii to be 613,000. That total of 613,000 people has to be reduced, because there are 57,000 military men in Hawaii. They are nonresidents; they are nontaxpayers of Hawaii. So, you reduce that 1957 figure by 57,000, and that is also true of 25,000 civilian employees over there who do not vote. Many are there temporarily. Many are not residents; many are not taxpayers. They cannot, to any degree, be classified in regard to Hawaii's future economy. So, when you get down to the facts as to the actual population of Hawaii, you have 445,000 men, women, and children in the Territory. And they would receive two Senators and two Representatives. We just admitted Alaska with considerably less population than the people in Hawaii, and for the combination of Alaska and Hawaii, with about 700,000 or 800,000 people, they will have four Senators combined, to more than offset the population of the great State of Pennsylvania, my good friend JOHN SAYLOR's home, or New York with 16 million people. So, I say to this Congress that certainly 25 previous Congresses have taken that into consideration when they turned thumbs down on Hawaii in regard to the population and in regard to the money that comes in to the Treasury of the United States down here.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Will not the gentleman admit that the sons and daughters of Hawaii were very loyal during World War II and fought with bravery?

Mr. ALLEN. I certainly would. I would say that most of the sons and daughters of Hawaiian people were most loyal.

I would say that what they did 12 or 15 years ago should be taken into consideration. Certainly, they were loyal to the United States, they were brave, and that should be taken into consideration on the question of whether they should come into the Union as a State. But that should not be the final or the sole reason. We should not say merely that anyone who is loyal to us, whether they are in Puerto Rico or the Virgin Islands, should be allowed to become a State. Their loyalty should not be the only condition for statehood.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman.

Mr. PILLION. Would the gentleman say that the soldiers who came from the 48 States were any less loyal than those who came from Hawaii?

Mr. ALLEN. I certainly would not. But I do want to go on record as saying that I certainly agree with my able

friend, the majority leader, that the Hawaiian people and the Philippine people were certainly loyal. I personally could not tell you of a single instance of disloyalty. But I do not think that should be the final and the only reason for our decision as to whether a group shall be allowed to come in as a State, because, if that were the only condition then we would probably have other Territories whose people would say, "What did we ever do that was disloyal to the United States?"

We started with Alaska. Alaska, with Hawaii, would have four Senators in the Senate of the United States. That is a very important matter to the economy of our Nation. Do we want to give Alaska and Hawaii four Senators, when New York, with 20 times more people than both Alaska and Hawaii, has only two Senators? New York probably pays 100 times more in income tax than Alaska and Hawaii combined.

Mr. Speaker, these are some of the things that I feel previous Congresses for over half a century took into consideration when they rejected the various petitions for statehood for Hawaii. I say we should consider those matters among others, and then finally vote our honest convictions.

As far as I am personally concerned, I am going to vote against statehood for Hawaii. I am not going to ask for any rollcall on the rule. I am not fighting the rule in any way, but I felt it incumbent upon myself to state these facts which have caused me much concern.

HOURLY MEETING TOMORROW

Mr. O'NEILL. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HAWAII STATEHOOD

Mr. O'NEILL. Mr. Speaker, I yield such time as he may require to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I really had not intended to make any extended remarks on this subject, and I do not know that I shall, but I do not like the idea of this piece of legislation being rushed through the Congress without some consideration and some debate.

I do not think there is a thing in the world that I could say here today that would influence anyone or change a single vote, because I gather the full political import of this action. Both parties, the Democratic Party and the Republican Party, way back there, in an effort to get delegates, have been advocating the admission of Hawaii as a State. Now payday has come. The way has been paved by the admission of Alaska.

I stood in the well of this House when Alaska statehood was up for consideration and I pointed out then that if

Alaska were admitted you would be opening the barn door, and Lord only knew where we would stop. That is exactly what we have done. The biggest argument you can hear today as to why we should go out into the far-flung reaches of the Pacific and bring in to the bosom of the States that island is: "Well, we have given it to Alaska and we promised that we would give it to Hawaii as well."

I never have believed that two wrongs when added together would make a right. I said in the Alaska debate, moreover, that if I had to choose between Alaska and Hawaii I would certainly take Alaska, because it at least has the virtue of being on the American Continent.

I hope you will stop, look, and listen a little bit before you embark upon this new adventure into the faraway reaches of the Pacific, to bring in not alone the Hawaiian Islands, because that will be just a part of it; you are going to be faced with this some day. They say it is discrimination, you are making second-class citizens out of the people of Hawaii if you do not give them admission to statehood. What are you going to do with that other string of islands out there that go to make up Hawaii that are not taken in here as a State? When they come in, or one of them asks to be made a State, are you going to turn them down? Can you, when you have adopted the doctrine of nondiscrimination? Certainly that would be the rankest kind of discrimination.

Again, however, I am not so concerned about that as I am about where you are going from there. Here is the Virgin Islands, here is Puerto Rico, here is Cuba, and here is Samoa and Guam. Where are you going to stop?

Let us go back a little bit. When the Original Thirteen Colonies wanted to throw the yoke of the tyranny of Great Britain off their necks, they got together and formed the United States. Listen to this. You have read it, although I do not know whether or not you have read it recently. Let me refresh your memory. This is the preamble of the Constitution of the United States:

We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution—

For whom?—
for the United States of America.

They were not talking about somewhere out in the Pacific or out in the Atlantic or on the other side of the world or into outer space. They were talking about the continent of the United States of America.

If we propose to bring Hawaii into statehood should we not first amend the Constitution?

I opposed the admission of Alaska because I said Alaska could not afford the luxury of statehood. You are going to have bills coming before you that are going to justify that statement because the Federal Government is going to be forced to subsidize the State of Alaska

at the expense of your taxpayers and at the expense of my taxpayers. But, I would rather do that with reference to Alaska than to go out to the other side of the world to bring a noncontiguous territory into the sisterhood of States. Mr. Speaker, to me this is a very serious thing. I do not see how you, the representatives of the people, can throw away this heritage that was given to us at such great sacrifice. Oh, I know we hear a lot about liberalism and we hear a lot about progress and we hear a lot about the world becoming smaller and smaller because of scientific advancement in transportation and communications, but I say to you again, and again, and again, that you are departing from the original concept of the Founding Fathers when you embark upon this expedition. I hope as the debate goes on that you will listen and give thought to this question. There are many who are better prepared to present the opposition to this than I am. I am not a member of this committee. I do not have the facts and figures except such as I have picked up as I ran, but I know there are other phases of this that will be developed. There is the question of communism, the question of the economic stranglehold that this man Harry Bridges, that the House of Representatives on two occasions, when during the war he was denying the sinews of warfare to our boys overseas, passed a resolution deporting him. But, that was killed in the other body. I think it is a matter of fact and a matter of common knowledge that this man, Harry Bridges, has a stranglehold on the economy of Hawaii. Now let us be liberal. Let us be progressive. But, let us also be sane and let us be a little sound. Let us think about where we are going and let us think of the precedents you are setting here today because just as sure as the sun will rise tomorrow and the next day, you are going to be faced with one of these other outlying islands coming in here and saying that they do not want to be discriminated against either.

The SPEAKER. The gentleman from Mississippi has consumed 10 minutes.

Mr. COLMER. Thank you, Mr. Speaker. Thank you for your attention.

Mr. ALLEN. Mr. Speaker, I reserve the balance of my time.

Mr. O'NEILL. Mr. Speaker, I yield 5 minutes to the gentleman from New York, the author of the bill [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Speaker, I have asked for this time to speak very briefly. First, I wish to thank the Committee on Rules for giving us this rule so that we may proceed in an orderly fashion on this historic question. I do not at this time propose to debate the issues because I am most hopeful that we will adopt the rule and then we can discuss the issues fully. But, I will say to those who may have been impressed by what they have heard so far that the members of our committee and other Members who are supporting statehood for Hawaii are prepared to meet head on some of the questions which have been raised. We will not duck the question of communism in Hawaii. We will not duck the question which has been raised

about the admission of Puerto Rico or the Virgin Islands or, perhaps, Formosa or Venus or Mars. We shall meet all those matters at the proper time.

I simply want to say to the gentleman from Illinois who was so concerned about two Senators for the population of Hawaii that I happen to be a Representative from the State of New York which has a population of 16 million. I feel very strongly that when I vote in favor of statehood for Hawaii the great majority of the 16 million people in New York State will not feel that I am voting to take anything away from them and that they will support the vote I shall cast.

Mr. Speaker, I yield back the balance of my time.

Mr. O'NEILL. Mr. Speaker, I know of no further requests for time. I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. SAYLOR. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll and there were—yeas 337, nays 69, not voting 28, as follows:

[Roll No. 9]

YEAS—337

Adair	Casey	George
Addonizio	Cederberg	Glaimo
Albert	Chamberlain	Glenn
Alger	Chelf	Granahan
Andersen,	Chenoweth	Green, Oreg.
Minn.	Chlperfield	Green, Pa.
Anderson,	Church	Griffin
Mont.	Clark	Griffiths
Anfuso	Coad	Gross
Arends	Coffin	Gubser
Ashley	Cohelan	Hagen
Aspinall	Collier	Halleck
Auchincloss	Conte	Halpern
Avery	Cook	Hargis
Ayres	Cooley	Harmon
Bailey	Corbett	Harris
Baker	Cramer	Hays
Baldwin	Cunningham	Healey
Baring	Curtin	Hébert
Barr	Curtis, Mass.	Hechler
Barry	Curtis, Mo.	Hemphill
Bass, N.H.	Daddario	Henderson
Bass, Tenn.	Daniels	Herlong
Bates	Davis, Tenn.	Hoeven
Baumhart	Dawson	Hogan
Becker	Delaney	Hollifield
Beckworth	Dent	Holland
Belcher	Derounian	Holt
Bennett, Fla.	Derwinski	Holtzman
Bentley	Devine	Horan
Berry	Dingell	Hosmer
Betts	Dixon	Hull
Boggs	Dollinger	Ikard
Boland	Donohue	Irwin
Bolling	Dooley	Jarman
Bonner	Dorn, N.Y.	Jennings
Bow	Doyle	Jensen
Bowles	Dulski	Johnson, Calif.
Boyle	Durham	Johnson, Colo.
Brademas	Dwyer	Johnson, Md.
Bray	Edmondson	Johnson, Wis.
Breeding	Everett	Jonas
Brewster	Evins	Jones, Mo.
Brock	Fallon	Judd
Brooks, Tex.	Farbstein	Karsten
Broomfield	Fascell	Karth
Brown, Mo.	Feighan	Kasem
Brown, Ohio	Fenton	Kastenmeier
Buckley	Fino	Kearns
Budge	Flood	Kee
Burdick	Flynn	Kelth
Burke, Ky.	Fogarty	Kelly
Burke, Mass.	Foley	Keogh
Bush	Forand	Kilgore
Byrne, Pa.	Ford	King, Calif.
Byrnes, Wis.	Fountain	Kling, Utah
Cahill	Friedel	Kirwan
Canfield	Fulton	Kluczynski
Cannon	Gallagher	Kowalski
Carnahan	Garmatz	Lafore
Carter	Gavin	Laird

Lane	Multer
Langen	Mumma
Lankford	Murphy
Latta	Natcher
Lesinski	Nelsen
Levering	Nix
Libonati	Norblad
Lindsay	O'Brien, Ill.
Lipscomb	O'Brien, N.Y.
Loser	O'Hara, Ill.
McCormack	O'Hara, Mich.
McCulloch	O'Konski
McDonough	O'Neill
McDowell	Oliver
McFall	Ostertag
McGinley	Passman
McGovern	Patman
McIntire	Pelly
McSween	Perkins
Macdonald	Pfost
Machrowicz	Pirnie
Mack, Ill.	Poage
Mack, Wash.	Porter
Madden	Price
Magnuson	Prokop
Mahon	Pucinski
Mailliard	Quie
Marshall	Quigley
Matthews	Rabaut
May	Randall
Meador	Reece, Tenn.
Morrow	Rees, Kans.
Metcalf	Reuss
Meyer	Rhodes, Ariz.
Michel	Rhodes, Pa.
Miller,	Riehlman
Clement W.	Rivers, Alaska
Miller,	Robison
George P.	Rodino
Miller, N.Y.	Rogers, Colo.
Milliken	Rogers, Fla.
Mills	Rogers, Mass.
Minshall	Rooney
Mitchell	Roosevelt
Moeller	Rostenkowski
Monagan	Roush
Montoya	Rutherford
Moore	Santangelo
Moorhead	Saund
Morgan	Saylor
Morris, N. Mex.	Schenck
Morris, Okla.	Schwengel
Moss	Scott

NAYS—69

Abbitt	Frazier	Norrell
Abernethy	Gary	Pilcher
Alexander	Gathings	Pillion
Alford	Grant	Poff
Allen	Haley	Polk
Andrews	Hardy	Preston
Ashmore	Harrison	Rains
Barden	Hess	Ray
Bennett, Mich.	Hlestand	Riley
Blitch	Hoffman, Ill.	Rivers, S.C.
Bosch	Hoffman, Mich.	Roberts
Brown, Ga.	Huddleston	Rogers, Tex.
Broyhill	Johansen	St. George
Burleson	Jones, Ala.	Selden
Colmer	Kilburn	Sikes
Dague	Kilday	Smith, Kans.
Davis, Ga.	Kitchin	Smith, Miss.
Dorn, S.C.	Knox	Taber
Dowdy	Landrum	Thomas
Downing	Lennon	Utt
Fisher	McMillan	Vinson
Flynt	Mason	Wharton
Forrester	Murray	Williams

NOT VOTING—28

Barrett	Gray	Simpson, Pa.
Blatnik	Hall	Smith, Va.
Bolton	Jackson	Taylor
Boykin	Martin	Thompson, La.
Brooks, La.	Morrison	Tuck
Celler	Moulder	Whitten
Denton	Osmers	Willis
Diggs	Philbin	Winstead
Elliott	Powell	
Frelinghuysen	Scherer	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Martin for, with Mr. Smith of Virginia against.

Mr. Morrison for, with Mr. Tuck against.

Mr. Denton for, with Mr. Willis against.

Mr. Celler for, with Mr. Thompson of Louisiana against.

Mr. Simpson of Pennsylvania for, with Mr. Whitten against.

Mr. Frelinghuysen for, with Mr. Winstead against.

Mr. Barrett for, with Mr. Elliott against.

Mr. Blatnik for, with Mr. Boykin against.

Mr. Diggs for, with Mr. Philbin against.

Mr. Osmers for, with Mr. Brooks of Louisiana against.

Until further notice:

Mr. Powell with Mrs. Bolton.

Mr. Hall with Mr. Scherer.

Mr. Moulder with Mr. Jackson.

The result of the vote was announced as above recorded.

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4221, with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. O'BRIEN] will be recognized for 3 hours and the gentleman from Washington [Mr. WESTLAND] will be recognized for 3 hours.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, I yield myself 10 minutes.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to my chairman.

Mr. ASPINALL. Mr. Chairman, I would respectfully request that good attention be given to the presentation by the gentleman from New York who is now standing in the well of the House. The gentleman will present the arguments in behalf of and in support of statehood for Hawaii and answer many of the questions which may be voiced later on unless a good hearing is given to him.

Mr. O'BRIEN of New York. I thank my chairman. May I at the outset express my very deep appreciation to the gentleman from Colorado, the chairman of the Committee on Interior and Insular Affairs, for permitting me to manage this bill on the floor. It is a kindly gesture on his part and completely in keeping with the kindness for which he is so well known in this House.

Mr. Chairman, we have come to you today with a bill bestowing statehood upon the last incorporated Territory under the American flag—a bill which would bring to full flower the privileges of the 600,000 American citizens who constitute the population of Hawaii. May I say at the outset, Mr. Chairman, that we may as this debate progresses witness a slight distortion of the picture. It is possible for men and women of good will to look upon the same set of facts and by changing a line here or there, like the clever cartoonist, make a caricature out of something that is noble. Let us at the outset realize that

we are talking here today about a Territory which is a part of the United States. This is not a part of Asia. This is not a foreign land. This is so much an integral part of our Nation that when we were attacked there we responded immediately, as quickly, as swiftly as if New York, Chicago, or Los Angeles had been attacked. And these people, about whom you may get a certain picture as this debate progresses, are American citizens. Many of those citizens could leave Hawaii and move into your State or my State and run for President of the United States and serve, if elected.

We are not talking about foreigners; we are talking about people who have full privileges of citizenship except for those they seek in this bill. It is not a question of extending the United States of America into Asia; it is a question of bringing the people of Hawaii into full brotherhood, bringing the Territory of Hawaii into the sisterhood of States.

I think it is important that we remember these things as the debate progresses, because there will be a fuzzy idea that we are dealing with something or somebody un-American and alien to us. I believe firmly that enactment of this bill will round out finally the Republic which is the United States. Oh, I know you will be told, as you have been told, that we will be here next year seeking statehood for Puerto Rico, the Virgin Islands, and other places out in the Pacific. I do not believe that will ever happen. May I point out that in this Congress we have 88 bills pending which would grant statehood to Hawaii, but not a single bill has been offered by a single Member for statehood for any of those other places. They are not incorporated Territories, as is Hawaii, and if we turn down Hawaii we are saying, in effect, that of the two, the only two incorporated Territories, Alaska was welcome, and you, Hawaii, are not.

De all know that less than 1 year ago after a long and memorable debate this House and the other body passed the bill which created the 49th State. During that debate some of you will remember the opposition hammered at three major points: They argued that Alaska was not contiguous to the other 48 states; that its population was too small to warrant statehood, and that its economy could not support statehood. We answered those arguments as best we could, and that debate need not be repeated today. It is sufficient to point out that the 85th Congress did grant statehood to Alaska and that action resulted in a national wave of excitement and approval on the part of the people of our country who are waiting right now for us to admit the Territory of Hawaii as a State.

I have referred to Alaska only to emphasize that the arguments against Hawaii which revolve around noncontiguity, population, or economic strength, already have been answered by our vote on Alaska. Hawaii's population is three times that of Alaska, and its economic strength as of now is substantially greatest.

I do not propose to engage in any forensic pyrotechnics today; I am not going to talk about second class citizen-

ship or our long failure to keep the promise of the past; each of us is aware of these things and little would be gained by a discussion of them or a reference to the loyalty of the people of Hawaii during times of peril. Instead, Mr. Chairman, I propose to meet head on the principal arguments which will be aired during this debate and to meet with candor some of those which may be only whispered but which can constitute the hidden motive behind the oral arguments. I am very fully aware that before this debate is very far along some Member will rise again to assert the claim, as it has been asserted in the past, that the Communists have a stranglehold upon Hawaii, the Territory, and will dominate Hawaii, the State.

May I say, Mr. Chairman, that when those arguments were advanced here in the past, I was deeply concerned because I had no personal knowledge of what actually was the situation in Hawaii. So in last December three members of our committee, of which I had the honor to serve as chairman, went to Hawaii and looked right down the mouth of the Communist cannon. We talked with everyone in Hawaii who could shed any light upon the situation. We talked with the leaders of this ILWU, about which you will hear today. We also talked with the FBI and the Territorial antisubversive commission, the chamber of commerce, and the school leaders. We even conducted interviews on the front steps of churches.

In our report we did not attempt to tell you that there is no communism in Hawaii. Instead we faced up to the fact. We asserted that there is communism in Hawaii. But we found something rather strange in the Territory. We found a people more alerted to the menace, such as it was, than the people anywhere in the United States. Let me tell you, Mr. Chairman, that these Communists who will be mentioned here on this floor cannot operate in Hawaii without the bells going on and the bright lights shining upon them.

You will hear talk here about some Communists in the ILWU. There are some former Communists in that organization. Personally, I do not know whether they have reformed or not. But I will say that when we are given the impression that Hawaii, the State, will be dominated by Communists, that they will send four Soviet agents to the Congress of the United States, you are being misinformed. The ILWU has a membership of 22,000, roughly. It does have some leaders—and I might say they were assigned to Hawaii from the mainland—for whom I have no respect whatsoever, but I say to you, Mr. Chairman, that the last election demonstrated that those leaders cannot lead their followers into the voting booths and tell them how to vote. Oh, yes; in some instances people endorsed by the ILWU won in the election, but I know of many places where that endorsement was not effective. I know of places where ILWU leaders ran for public office and were snowed under. I know of the fight they put up against a Honolulu city charter and they were beaten 3½ to 1.

May I point out that the Legislature of Hawaii, which the Communists allegedly control, enacted a law over ILWU opposition providing for the seizure of the docks in the event of an emergency. That same legislature has refused to repeal that act.

May I point out to you, as you perhaps see headlined the conviction of certain labor leaders as Communists in Hawaii, that they were convicted by the people of Hawaii, by a Hawaiian jury, and they were turned loose not by Hawaii, not by the people of Hawaii, but by a ruling of the Supreme Court on the mainland.

How many States have antisubversive commissions created, if you please, by this same legislature the Communists are supposed to dominate? Oh, I know what will be said here. I know the picture that will be drawn. But, let me summon my own witnesses on the other side. Let us take what will be said here at its face value, that if Hawaii becomes a State the Communists will control and send four Soviet agents to the Congress. I say, if that is true, any man or woman who favors statehood is very close to treason; certainly guilty of complete stupidity. Who are the people, knowing the facts best, who are on our side? Who should know better than the President of the United States, with all the information available to him? Not satisfied. What about Admiral Felt, the man in charge of our military posture in 100 million square miles of the Pacific Ocean? He favors statehood is very close to treason; retary of the Interior; the head of the Subversive Activities Commission in Hawaii, who will be quoted a little later on, favors statehood. Our own committee, by an overwhelming margin, favored statehood. So does the Department of Justice, which has available all the information that the FBI possesses. And, in this House, who would say that the distinguished chairman of the House Committee on Un-American Activities is soft toward communism? Who would say that the ranking Republican member of that committee in the last Congress, General Kearney, is soft toward communism? They know the situation in Hawaii. They investigated the situation in Hawaii. Our record will show that the Honorable FRANCIS WALTER and the Honorable Bernard Kearney, the gentlemen to whom I refer, testified before our committee for statehood. I say to you that if one-tenth of what will be said here about communism in Hawaii is true, these men should not have the respect of anyone, nor should the members of our committee.

Mr. Chairman, I have talked already longer than I had planned. I would like to close simply by saying this: We are aware, all of us here, that what we do within the next day or two will be a part of our history. If we decide to place a 50th star in our beloved flag, it will glow there long after we have gone our way. It will shine as the star of the Pacific, if you will, as long as our Nation endures. We live at a time which moves more swiftly than any in recorded history. Almost in the same breath we refer to the atomic age, the jet age, and now the space age. Let it not be said that we in this great land live in a fright-

ened age, fearful of the future, chained to the quiet dogmas of the past. Let us not shrink back upon ourselves thinking that we must never have any change. Let us, above all, leave our children and their children a greater land, a broader Union, and a talent not buried, but used.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. ASPINALL. During the debate on the rule, it was stated that this legislation comes before this House at this time too quickly, and that not enough time has been given to consideration of the legislation. Will the gentleman explain just how much time has been given to the subject of statehood for Hawaii?

Mr. O'BRIEN of New York. I think that Congress has compiled a stack of records 10 feet high. We explored the subject last year and again this year, until even the opposition ran out of witnesses. I think the question here is so basic and so simple that the records compiled are adequate for any Member of the House.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield further?

Mr. O'BRIEN of New York. I yield.

Mr. ASPINALL. Is it not true that practically the same legislation, with minor changes, has been passed by this body on three different occasions?

Mr. O'BRIEN of New York. That is true, by an overwhelming majority. And I suspect sometimes it did not go all the way because of certain political currents of the time.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. PILLION. Mr. Chairman, this is a rather long, involved question, and I would appreciate the gentleman's answering it at the conclusion of the whole question.

Is it not true that no public hearings were held by this small committee that went to Hawaii recently; that no sworn testimony on the question of Communist influence in Hawaii was taken by that committee; that all three members of the committee who went to Hawaii were in favor of Hawaiian statehood continuously; that no Member who had opposed Hawaiian statehood went to Hawaii as a member of the gentleman's committee; and that at my suggestion the gentleman refused to prepare any hearings in Hawaii, as I requested them to be prepared, by the investigators of the House Committee on Un-American Activities, on the question of communism in Hawaii; that the gentleman was quoted repeatedly prior to going to Hawaii that there was no communism in Hawaii before the committee went there; and that so far as I know the gentleman has never denied that, previous to his going.

Mr. O'BRIEN of New York. Does the gentleman want me to answer all those questions now or any specific one of them?

Mr. PILLION. I think it could be answered very simply "yes" or "no," but the gentleman may answer them in any way he pleases.

Mr. O'BRIEN of New York. I suggest that I will not answer the question "yes"

or "no," because the question was not phrased so that such an answer would be complete.

I never said at any time or any place that there was no communism in Hawaii. What I said on the floor of this House and elsewhere, when the gentleman from New York brought up his charges of communism, was that I did not believe the Communists had a strangle hold on Hawaii, and I did not believe that they would send four Soviet agents to the U.S. Congress.

As for our sworn testimony, we went there to investigate the specific subject developed largely by the gentleman from New York, and we believed that we could get more information by talking to more people than if we sat in a room and went around with the same old record spin, that we have in our formal hearings in Washington. But may I say this, that if the gentleman will look at the list of people with whom we did talk he will realize that we would have had to have our eyes and our ears closed not to find out what was going on in Hawaii.

I may say that if I had found there, regardless of my former position, 1 percent of what the gentleman claims I would be on the floor now opposing the passage of this bill. The gentleman's facts are about 10 percent right and his conclusions more than 99 percent wrong.

The gentleman has never been to Hawaii. He has compiled his case from now-yellowing headlines, he has compiled his case by taking out of context reports by various agencies and groups.

May I say one other thing: There was a Senate committee that went to Hawaii and conducted some rather sensational hearings. It issued a report, upon which the gentleman from New York has leaned so heavily. Yet in the last session of this Congress a highly respected Republican member of that committee, Senator WATKINS, was circulating a petition in the Senate urging statehood then for Hawaii.

So I would say that the gentlemen who heard the sworn hearings came to the same conclusion as the gentleman from New York who did not have hearings with sworn testimony. We believe that we conducted a thorough investigation. We believe that we obtained much more information than if we had had the so-called public hearings under oath. I did not believe nor did my colleagues that we were going to get the true picture by hauling in a half dozen of these former Communists and have them take the Fifth Amendment a couple of hundred times, because we already knew those people. What we wanted to know was whether the communism that does exist in Hawaii was under control, and we found it was. We found their apparatus was crippled; and we were told that by people responsible for the security of our country.

Mr. WESTLAND. Mr. Chairman, I yield myself 13 minutes.

(Mr. WESTLAND asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, first of all I should like to pay my respects to the distinguished chairman of

the subcommittee, the gentleman from New York [Mr. O'BRIEN], who has just preceded me. He has been chairman of this subcommittee for the past 4 years. During that time he has conducted extensive hearings on both Alaskan and Hawaiian statehood. We on the minority side have felt that we have been treated fairly in every respect in the hearings on Hawaiian statehood, that both the proponents and the opponents, such as the other distinguished gentleman from New York who has spoken here this afternoon, have been given ample opportunity under his guidance to present their case.

As a matter of fact, the minority Republican on this Committee on Interior and Insular Affairs once had a bill of his own—I believe it was H.R. 3575, if I am not mistaken—asking for statehood for Hawaii. That came before this House of Representatives and was passed by this body by a vote of somewhere in the neighborhood of 275 to 130.

So again, Mr. Chairman, let me offer my congratulations to the gentleman from New York [Mr. O'BRIEN]. It is rather difficult to follow him in further expounding some of the facts on Hawaiian statehood and why Hawaii should become a State.

Mr. Chairman, probably few, if any, pieces of legislation to come before this House have been so thoroughly considered as Hawaiian statehood. Since 1935 no less than 22 hearings have been held on the subject by the House and Senate Interior and Insular Affairs Committees. More than 850 witnesses have been heard. The record consists of over 6,600 printed pages of testimony and exhibits. At least 12 committee reports have been made. Three times, when a bill for Hawaiian statehood came before this body as a separate measure, it was passed by overwhelming margins.

The Territory of Hawaii has served its apprenticeship as a Territory longer than any other Territory now a State. Repeated investigations and hearings have shown beyond any doubt that Hawaii is ready to assume its rightful place as a full member of our Federal Union of States.

The three traditional standards for applicants seeking statehood are:

First. That the inhabitants of the proposed State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government.

Second. That a majority of the electorate desires statehood.

Third. That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

That Hawaii more than amply meets these tests has been demonstrated many times. That it meets these tests today is detailed in the report of the House Committee on Interior and Insular Affairs which accompanies this bill, H.R. 4221.

Mr. Chairman, I support H.R. 4221 and statehood for Hawaii. Indeed, I think there are few who would disagree that Hawaii meets, and has for many

years met, the traditional tests for statehood which I have outlined. But certain arguments have been advanced with respect to statehood, outside of these traditional tests. While these arguments, advanced with great sincerity by their proponents, should not deter us, in my judgment, from enacting this legislation, I believe they should be discussed and answered.

The major points of opposition raised are, first, the danger of Communist control; second, noncontiguity; and third, the ethnic background of the people of Hawaii.

The issue of communism in Hawaii has been extensively investigated since 1948. It has been thoroughly discussed by the Interior and Insular Affairs Committee, most recently by a special subcommittee from November 24 to December 8, 1958.

This subcommittee reported that it was "unable to find any evidence in the social fabric of Hawaii that communism had made any substantial progress or that the community as a whole was unable or unwilling to cope with the problem." In a statement before the committee this year, that distinguished fighter against the Communist conspiracy, the chairman of the House Un-American Activities Committee stated that given the kind of machinery that will come to them in the event Hawaii becomes a State, the people of Hawaii under statehood could better manage the security problems created by Communist activities in the Islands than under existing conditions.

I would not want to minimize the Communist danger in Hawaii—or in any of the other 49 States. This is a danger against which we must maintain an everlasting vigilance. Let me say that the matter of communism in Hawaii has given me a great deal of concern. For that reason I have given it my particular attention. Let me assure you I would not come before the Members of this House today if there were any reservations in my mind on this situation. To me the very thought of a state of the Union being under the control of the Communists is repugnant to the extreme. But, Mr. Chairman, I am convinced that such has not occurred in the Territory of Hawaii, nor will it occur in the State of Hawaii.

In this connection I think it is highly significant that the constitution of Hawaii, enacted in 1950, is the first in this country to disqualify subversive and disloyal persons from public office, Article 14, section 3, states:

No person who advocates, or who aids or belongs to any party, organization or association which advocates, the overthrow by force or violence of the government of this State or of the United States shall be qualified to hold any public office or employment.

I compliment the people of Hawaii for putting the provision in their constitution.

Finally, Mr. Chairman, although the record is well known to the Members of this House, I think it is not amiss to call attention again to the magnificent record compiled by citizens of Hawaii

during World War II and the Korean war. There is no more inspiring chapter in our history than that of the 442d Regimental Combat team in World War II. The record in the Korean conflict is equally inspiring. Let me briefly summarize it:

Not one case of cowardice by a Hawaiian soldier in the face of the Communist enemy was recorded in Korea.

Not one case of successful Communist brainwashing of any Hawaiian soldier.

Not one case of desertion by a Hawaiian soldier.

There were 426 Hawaiian boys killed in Korea, a death toll four and one-half times as great as the killed-in-action average for the rest of the United States. There were 1,352 total battle casualties from Hawaii, a rate three times as great as the casualty rate per capita for the rest of the Nation.

Mr. Chairman, I will not labor this point further, other than to say again that the matter of Communist influence in Hawaii should not be a bar to her admission as a State and that indeed the admission of Hawaii would enable her better to deal with the problem.

Turning to the argument of noncontiguity, it is a fallacy to hold that Hawaii should be denied statehood because the islands are not contiguous by land to the continental United States. The admission of Alaska as the 49th State and the facts of modern communication and transportation have shattered forever this contention.

Let me say, Mr. Chairman, that I am well aware of the problem of noncontiguity in my own congressional district. Two of my counties are entirely composed of islands. One county, San Juan, consisting of 172 islands, is accessible only by air or water. In addition, another portion of my district, Point Roberts, can be reached only by air or water or by twice going through Canadian customs. This geographical situation existed at the time of the admission of the State of Washington in 1889, and while I must say that it does add measurably to the problems of a candidate for political office, I am happy to report that these areas are growing and progressive parts of the State of Washington.

Mr. Chairman, the force which the argument of noncontiguity may have had 100, 50, or even 25 years ago, has in this modern age been completely dispelled.

Finally, Mr. Chairman, I think it is necessary to comment only briefly on the argument sometimes advanced based on the ethnic origin and racial situation in Hawaii. Hawaii has been a part of the United States since 1898 and American influence began long before then. Hawaii is thoroughly American in every respect. The devotion of the people of Hawaii to America is, as I mentioned a moment ago, shown for all to see in the battlefields of Europe and Korea. It would be a travesty and a tragedy if the people of Hawaii, so ready for statehood in every regard, were to be denied this distinction merely because of the ancestry of a part of that group. We need Hawaii as a State. We need the citizens of

the Territory of Hawaii to be citizens of the State of Hawaii. We need them not only for their counsel and advice which they can give us in our dealings with the peoples of the Orient but we need them for the living symbol they will be to the free world and the uncommitted nations, that America believes in and practices the tenets of the American ideal.

Mr. Chairman, those of us here today are fortunate to be caught up in a great moment of history. Though the problems and perils which beset us give ample cause for anxiety, though we must endure stern tests, we are clearly faced with the opportunity for greatness. Such an opportunity is with us as we consider this legislation. I deem it my good fortune and privilege to stand before the Members of this House today and affirmatively participate in that action which will, I have no doubt, lead to the admission of the State of Hawaii as the 50th State in this Union.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. WESTLAND. I yield.

Mr. SAYLOR. I would like to commend the gentleman for his forthright statement in support of this legislation. It was my great privilege to be a member of the committee at the time the gentleman from Washington was appointed a member of the committee.

I have watched with great interest the questions the gentleman asked of witnesses who appeared before our committee prior to coming to the conclusion that he was in favor of Hawaiian statehood. If any Members of this House were in doubt in their own minds and if they would go over the record and read the questions which the gentleman asked of witnesses who appeared before our committee enabling him to make up his mind, they too would come to support this legislation.

Mr. WESTLAND. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

(Mr. O'BRIEN of New York asked and was given permission to revise and extend his remarks.)

[Mr. ASPINALL addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I am happy to yield to the gentlewoman from Illinois.

Mrs. CHURCH. I should like to preface my remarks by reminding the gentleman that I have always supported statehood for Hawaii. I followed the excellent chairman, the gentleman from New York [Mr. O'BRIEN], in voting last year for the admission of Alaska. However, today a question has arisen on the floor which I know the gentleman can answer readily. Considering the constitutional restriction in existence, would it be possible for Hawaii when a

State to annex other territory which is unincorporated but belonging to the United States, without further action being taken by this Congress?

Mr. ASPINALL. It would not.

Mrs. CHURCH. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. GROSS. On page 5 of the bill there is a provision which says that the President may dispose of land within a 5-year period after Hawaii becomes a state. I am referring to paragraph (e) on page 5. Will the gentleman please tell us the meaning of that provision?

Mr. ASPINALL. That provision provides that the areas now held by the United States, for one purpose or another, may be held by the Federal Government for an additional period of not over 5 years for a determination as to how much of that area is to be needed permanently by the Federal Government, is for defense purposes primarily.

Mr. GROSS. And such land could be disposed of at the discretion of the President of the United States?

Mr. ASPINALL. No; the lands automatically go to the new state of Hawaii.

Mr. GROSS. That is not what the provision says.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I should like to call attention of the Members of the House to the fact that the Federal lands in Hawaii come in two classes; first, those to which the Federal Government has title in fee. Those are not affected at all by this bill. The other lands affected by this bill are those which the United States Government holds under license. These lands are owned by the Territory of Hawaii. Upon the admission of Hawaii into the sisterhood of States, if there is no provision in the bill, all of the rights of the Federal Government in those lands will cease at once. The military, which occupy a large portion of these lands, have appeared before our committee and asked that for a period of 5 years the President be given the discretion to determine which of those lands are needed and which are not needed.

Those which will be needed will be kept by the United States without any payment to the State of Hawaii of any sort or description, and those that are not needed will automatically then go back to the State of Hawaii.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. Why should they not come to the Congress for the disposal of this land, rather than leaving it to the discretion of a President? That is the way we dispose of other U.S. property, is it not?

Mr. ASPINALL. These properties are in reality properties of the Territory of Hawaii.

Mr. GROSS. Then why does a President have any discretion in the matter at all?

Mr. ASPINALL. Because we presently hold possession over these particular areas.

Mr. GROSS. So that we do control the land?

Mr. ASPINALL. Just for certain purposes, that is all.

Mr. GROSS. I think that under any circumstance the authority should be vested in Congress to dispose of any federally owned or controlled land.

Mr. ASPINALL. I think that a statement will be made about that when that part of the bill is under consideration.

Mr. GROSS. Is there any special significance to establishing the minimum voting age under the Constitution of the State of Hawaii at 20 years?

Mr. ASPINALL. I think the gentleman understands that we have always left that decision up to the various States. If Hawaii wishes to change the usual age limit for voting, it may do so, just as the great State of Georgia has changed it.

Mr. GROSS. I understand.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The question comes up as to what we mean by an incorporated territory when, for example, Guam has a governor and a lieutenant governor appointed by the President, as well as a legislature; likewise the Virgin Islands. Why is there a distinction between the Hawaiian Islands, for example, and those two territories? What is the distinction between the United Nations trusteeship we hold over the Marshall and Caroline Islands, as they are territories under the Security Council of the United Nations? What kind of legal situation is there on those territories in respect to this particular legislation?

Mr. ASPINALL. We have had these three different approaches to the treatment of our areas classified as "Territories." Of course, an incorporated territory is by its organic act determined to be an incorporated area.

Mr. FULTON. Why has not Guam, when we have an organic law for them, set up its own organization?

Mr. ASPINALL. We have never by congressional act designated Guam as an incorporated territory. We have said just the reverse, that it is not an incorporated territory.

Mr. FULTON. Like an unincorporated village.

Mr. ASPINALL. The same is true of the Virgin Islands.

As far as the trust islands are concerned, we hold possession by conquest, of course, but we have control over them at the present time only by mandate from the United Nations.

I yield to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, an organized incorporated Territory of the United States is a possession to which the Constitution of the United States

has been extended by a congressional act. As a result their native-born inhabitants have become citizens of the United States, the area is entitled to statehood, and enjoy representation in Congress. Hawaii is an example.

An organized unincorporated Territory is a possession of the United States to which the Federal Constitution has not been extended by act of Congress. Organic acts have been enacted for Guam and the Virgin Islands, our two possessions falling into this category.

Neither has a Representative in Congress. Neither is eligible for statehood without additional congressional legislation. Guamanians and Virgin Islanders are citizens of the United States.

American Samoa is an unorganized and unincorporated possession of the United States. It has no organic act, no representation in Congress, and, of course, is not eligible for statehood. Its inhabitants are not citizens but are nationals of the United States, but, of course, are eligible for citizenship. They may travel to the mainland without difficulty. This status entitles the American Samoans to the protection of our flag and the enjoyment of undefined fundamental rights, but does not guarantee to them those explicit rights accorded by the Constitution to citizens of the United States.

The Trust Territory of the Pacific Islands is a strategic trusteeship of the United Nations. Its inhabitants are neither citizens nor nationals of the United States, but wards of the United Nations under the supervision of the United States. Since the Trust Territory is not a possession of the United States it obviously could not be admitted to our Union. Its inhabitants have little sense of nationalism and not the least interest in statehood.

Mr. WESTLAND. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. PILLION].

Mr. RHODES of Arizona. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 10]

Arends	Gubser	Quigley
Ayres	Hall	Randall
Bailey	Hargis	Rogers, Tex.
Barden	Hoffman, Mich.	Scherer
Barrett	Holifield	Smith, Miss.
Barry	Holt	Smith, Va.
Blatnik	Jackson	Spence
Bolton	Kearns	Springer
Bowles	Kelly	Taylor
Breeding	Machrowicz	Thompson, La.
Celler	Martin	Tuck
Dawson	May	Wharton
Diggs	Morrison	Willis
Dixon	Osmer	Withrow
Elliott	Philbin	
Frelinghuysen	Powell	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

H.R. 4221, and finding itself without a quorum, he had directed the roll to be called, when 379 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York [Mr. PILLION] is recognized for 30 minutes.

(Mr. PILLION asked and was given permission to revise and extend his remarks.)

Mr. PILLION. Mr. Chairman, yes; this is an historic event. Today marks another milestone in the decay, in the decline, and in the death of this Nation and of Western civilization.

May I first point out that this bill is not a simple legislative measure that can later be amended or repealed.

This is neither a regulatory nor an administrative proposal. This is not a law being passed in the ordinary course of legislative business.

This measure deals with the basic structure of legislative power—of who shall, in the future, have the power to pass all laws affecting all of the citizens of this Nation.

Mr. Chairman, in my humble opinion, the issue of statehood for the Territory of Hawaii ought to be deliberated from these three broad aspects:

First. The grant of statehood to Hawaii will reduce the political power and the voting rights of every citizen of our population and bestow that power upon another segment of our citizens.

Second. The next phase of this discussion will attempt to refute the arguments advanced in favor of statehood. I will try to demonstrate that the reasoning for statehood is either based upon political errors or is irrelevant or is of emotional origin.

Third. The concluding portion of this statement will deal with communism in Hawaii and its dangerous political consequences.

THE POLITICAL POWER ASPECTS OF STATEHOOD

There is a mistaken popular notion that the people of the Territory of Hawaii are being deprived of their right of self-government. The differences between the powers of the 49 States and the powers of the Territorial Government of Hawaii are insignificant.

Under the Hawaii Organic Act, Hawaii possesses full power to enact laws relating to its property, affairs, and government. Its powers in relation to the conduct of its affairs are substantially as extensive as the powers of the State governments of the 49 States. Hawaii does not lack the power of home rule.

Although Congress has reserved the right to disapprove Territorial legislation, no law passed by the Legislature of the Territory of Hawaii has ever been invalidated by Congress.

Although the Governor of Hawaii is appointed by the President, there has never been any substantial complaint that the administration of the Governor's Office has been contrary to the best interests of the people of that Territory.

The campaign of the proponents of statehood is based, not upon their need

or desire for power to conduct the affairs of the Territory, but rather, in their desire for power to conduct the affairs of the 49 States. They seek the power associated with the election of two U.S. Senators, two U.S. Representatives, and four electoral votes in the choice of a U.S. President.

The membership of this House knows that all governments, good or bad, are mere organizations of political power. The difference between a totalitarian, an aristocracy, or a representative government is merely a difference in the control of political power.

It is a fundamental principle, that our constitutional representative form of government shall give every citizen an equal voice in the conduct of our Government. The right of a citizen to participate in our Government, almost exclusively, rests with his right to vote. But, the essence of the right to vote lies in the effectiveness of the right to vote.

Statehood would entitle the people of Hawaii to two U.S. Senators. It is our responsibility to decide whether this amounts to an equitable apportionment of legislative power.

The population of Hawaii, according to the census estimate as of July 1, 1957, was 613,000. Of this population, 59,000 were military personnel. An additional 25,000 people are civilian Federal employees. If we consider these 84,000 Federal civilian and military personnel to each have only one dependent, then the basic population figure should be reduced by 168,000. This would reduce the Hawaiian citizen population to 445,000.

With the grant of statehood, the people of Hawaii will be represented by one U.S. Senator for each of its 223,000 citizens.

The 2 Hawaii Senators representing 445,000 citizens would nullify the will and the representation in the U.S. Senate of New York's 16 million people, California's 14 million people, Illinois' 10 million people, Georgia's 4 million people, and of the voters in each of the other of the 49 States.

The framers of our Constitution founded a compound government, combining the features of both a federal and a national type of government.

The plan to give each State two Senators conforms to a pattern suitable to a federal government, with limited powers, where the bulk of the sovereign power is reserved to the States.

The plan to apportion Representatives of this House on the basis of population conforms to the framework of a national government where all power is concentrated in a central government.

The grant of equal representation, that of two U.S. Senators, to each State was adopted for the protection of the sovereign powers of the States from encroachment upon their powers by the Central Government. In furtherance of this purpose, it was provided that the U.S. Senate be chosen, indirectly, by State legislatures.

The framers of our Constitution repeatedly stated that the U.S. Senate would represent the States in their corporate governmental capacities. The

election of Senators by the legislatures was an integral part of that historic compromise under which each State became entitled to two U.S. Senators.

The 17th amendment to our Constitution was adopted on April 8, 1913. This amendment fundamentally altered the basis for the allotment of two Senators to each State. This change in the mode of the selection of our Senators to that of popular suffrage totally destroyed the justification, the rationale, for equal representation for each State in the U.S. Senate.

There have been drastic changes in our Republic. The framers of our Constitution envisioned a central government of limited powers, with the bulk of the residual sovereign power being reserved to the States.

Now, there is no mathematical formula for the measurement of the division of power between the States and our Central Government. However, we can measure the exercise of political power by the expenditures of our governments.

In the year 1957 our total gross national product amounted to \$440 billion. Of this sum, \$79 billion, or 18.1 percent, was expended by the Central Government. The State and local governments expended \$34 billion, or 7.7 percent. The exercise of Federal power costs our citizens about two and one-half times the exercise of State power.

It is evident that there has been a continuing erosion of power out of the States and a continuing concentration of power in our Central Government. We have become a National Government wherein the States are being relegated to mere provinces. We have evolved from a Federal Republic into a national democracy.

Twenty-five States, with a population of 31 million people, constituting only 18 percent of the Nation's population, control 50 votes and have a majority power in the U.S. Senate.

This imbalance of power is a prime factor in our huge Federal bureaucracy, its wastages, and the consequent huge Federal taxes. Our bankrupt agricultural program with Federal subsidies, creating surplus products and Federal subsidies paid to reduce crops, at the same time, is an example of the satisfactions of local interests resulting from excessive localized political power without a corresponding accountability for the national welfare.

The U.S. Senate is accountable to the pressure of their constituents rather than to the preservation of State powers. Their prime interest must lie in expanding national power to satisfy local political pressures.

The alarming growth of Federal aid is another example of the inequitable distribution of Senate power. These programs are a practical means of socializing the wealth of the States and are encouraged by the political power combinations in the U.S. Senate.

Statehood for Hawaii will reduce the effectiveness and dilute the voting rights of every citizen of the 49 States. In the election of a U.S. Senate, it transfers an excessive amount of Senate representation to the people of Hawaii.

The average representation in the U.S. Senate is 1 Senator for approximately 1,700,000 citizens. Hawaii will have 1 Senator for each 223,000 citizens. The voting rights of the Hawaii citizen will be 7 times as effective as that of the average citizen of the 49 States.

POWER IN THE EXECUTIVE BRANCH

In the event of statehood, Hawaii, after the 1960 reapportionment, will become entitled to 4 electoral votes toward the election of a President of the United States. This can be reduced to 1 electoral vote for each 110,000 of its population. The voters in the 49 States will only have 1 electoral vote for about each 320,000 citizens. In the election of a President, the voting rights of each Hawaii citizen will be as effective as that of 3 average citizens of the 49 States.

Again, the voting rights of the people of the 49 States are reduced in order to transfer excessive voting power to the people of Hawaii.

REPRESENTATION IN THE HOUSE OF REPRESENTATIVES

After the 1960 census reapportionment, Hawaii will become entitled to 2 Representatives in this House. Since the membership of this House is fixed at 435, these two Representatives will displace 2 Members who are presently holding seats in this House. This loss of seats will be in addition to the following latest projection by the U.S. Census Bureau of the loss of seats:

Maine.....	1
Massachusetts.....	2
New York.....	3
Pennsylvania.....	3
Illinois.....	1
Minnesota.....	1
Mississippi.....	1
Iowa.....	1
Kansas.....	1
West Virginia.....	1
North Carolina.....	1
Georgia.....	1
Alabama.....	1
Arkansas.....	2

STATEHOOD FOR OTHER POSSESSIONS

Statehood for Hawaii will intensify the demands for representation in Congress for the citizens and inhabitants of all other possessions of the United States.

Since Alaska was admitted with a resident population of about 100,000 people, why isn't Guam entitled to statehood with its population of 59,000 citizens.

If the psychological impact upon the oriental countries is a valid reason for admitting Hawaii, then Guam should be admitted because it is farther west and closer to the oriental cultures.

If Puerto Rico seeks admission, shall we admit her to statehood in the interest of reducing the possible enmities of South American countries.

Senator CASE recently introduced a bill to grant three delegates in the House of Representatives to the District of Columbia which is a prelude to statehood. Are these 800,000 citizens less entitled to two U.S. Senators than the 445,000 citizens of Hawaii?

The Virgin Islands has a population of 30,000. Shall we admit the Virgin Islands on the ground that it will improve our relations with the African countries?

Before we further distort the structure of our Government, we ought to be

prepared to deal with these prospective troublesome problems on the basis of a principle that is equitable for these people and is also reasonably fair to the people of the 49 States.

EXTRANEIOUS ISSUES

Just about any and every conceivable argument has been advanced by the proponents of statehood. The Territory of Hawaii has carried on a high-powered, soft-sell, campaign for the past 12 years. The Hawaii Statehood Commission is the official agency for the promotion of statehood. Since 1947 it has spent more than \$1 million for public relations and lobbying. This sum far exceeds the spending by any other lobbying group.

I would like to comment on some of the arguments being advanced by this Commission.

They have raised the slogan of "taxation without representation." Taxation has never been the test of voting rights. The person who pays no taxes is entitled to one vote just as the citizen who pays \$1 million of taxes per year. The alien resident who has no voting rights is still duty bound to pay taxes.

The Hawaiian people received, for their taxes, substantially the same benefits as the people of the 49 States.

No one has disparaged the bravery of Hawaiian troops in World War II and in the Korean conflict, except the Hawaii Statehood Commission. They have raised this issue by attributing it to the opponents of statehood. It is inflammatory, emotional language intended to put the opponents on the defensive and furnishes an emotional impact in Hawaii, coupling statehood with a defense of honor.

The loyalty of the Hawaiian soldier cannot and should not be the basis for the equitable apportionment of representation in Congress.

I might remind our fellow citizens in Hawaii that the people of the 48 States did not hesitate to bravely and completely repel the inglorious attack by Japan, not upon the U.S. mainland, but their attack upon Hawaii. The United States discharged its obligations to its fellow citizens in full measure.

The proponents say that denial of statehood would cause an unfavorable psychological impact upon oriental countries. This reasoning is a political mistake. It is an admission of our weakness. This is a domestic problem that should not be decided by foreign agitation.

The Hawaii Statehood Commission advances the argument that Hawaii has met every test of statehood. The Constitution provides no tests for statehood. Congress has not enacted any tests for statehood. The proponents refer to dicta emanating from the Supreme Court. The opinion of the Supreme Court in this matter is just another unwarranted intrusion upon the constitutional powers of Congress.

The height of irrelevancy was attained by a prominent proponent of Hawaiian statehood. He advanced this argument: "The delectation of visitors, the sweetness of Hawaiian music and the rhythm of its dance." The muscular gyrations of the hula dance is certainly far afield from the crux of the statehood problem.

COMMUNISM IN HAWAII

Mr. Chairman, I have said, in and outside Congress, that in granting statehood to Hawaii, we actually invite four Soviet agents to take seats in the U.S. Congress. I repeat this statement.

These men will bear no visible brand marks. They will not be Communist Party members. All that the Communists demand of them, in return for their political support, is to cleverly follow the "Soviet Party line."

The infiltration of communism in Hawaii continues to influence every phase of Hawaii activity to an alarming degree.

The Communist network is centered in two unions, the International Longshoremen's and Warehousemen's Union—ILWU—and the United Public Workers—UPW. From these centers, their influence spreads into both the Republican and Democratic Parties, into the Territorial legislature, into the county and city governments, into the newspapers, the radio, the television, and into every home.

The ILWU has a membership of about 25,000 workers. The UPW has a membership of about 2,700 employees.

Both of these unions were expelled by the CIO in 1950 on the ground that "their policies follow the Communist Party" and that "Communists control these unions."

Gentlemen, the policies of these unions have not changed one iota. I quote from the report of the Territorial Commission on Subversive Activities which was submitted to the Governor this last Monday, March 2, 1959, page 16:

The propaganda line disseminated by the ILWU has continued to follow and further the Russian international and domestic viewpoint.

These unions continue to be dominated by the same Communist officials as in 1950. The ILWU in Hawaii is known as Local No. 142. The president is that most dangerous and effective international Communist agent, Harry Bridges.

Since last August, Harry Bridges has been actively engaged in promoting an alignment of American labor unions with foreign Communist unions. This, of course, is part of the U.S. Communist Party's and the Soviet Communist Party's present program.

Since August 1958 Harry Bridges has made overtures to: the all-Japan-Dock Workers Union, the Waterside Workers of Australia, the Madras Harbor Workers of India, and the Waterside Workers of Indonesia.

These unions are all Communist dominated. He has carefully avoided consultations with any unions who are not Communist controlled.

Since January 1, 1959, Harry Bridges has had conferences with the Communist leadership of unions in London, Paris, Hamburg, Prague, Moscow, Leningrad, and Helsinki.

Bridges has also aligned his union with the International Brotherhood of Teamsters, headed by James R. Hoffa.

Jack Hall is regional director of the Hawaii ILWU, local No. 142. He and six other Hawaiian Communists were convicted in 1953 for conspiracy to over-

throw our Government by force and violence. These cases were reversed under the authority of the series of shocking Supreme Court pro-Communist decisions.

The UOW's officers are Henry Epstein, Stephen Murin, Max Roffman and Jeanette Nakama Rohrbough, all identified Communists.

Both the ILWU and the UPW have exploited its members and continue to use the dues and the membership to further the Communist Party line.

The UPW has 235 public employees employed by the government of the Territory of Hawaii. The city and county of Honolulu has 567 employees belonging to the UPW, including 37 members of the sheriff's department.

The county of Hawaii has 279 public employees belonging to this Communist-controlled union. The county of Kauai has 293 and the county of Maui 537. These figures come from the check-off system used by the unions and these governments to extract union dues.

The ILWU and its conspiratorial Communist partner, the UPW, share the same large office building owned by the ILWU. This nonpublic building was recently exempted from public taxation by the Hawaiian Legislature.

These two unions continue to spend upward of \$200,000 annually for propaganda and agitation.

They maintain radio broadcasts in the Ilocano and Tagalog, Filipino dialects, every day of the week.

The Japanese broadcasts are continued on three stations every Sunday.

These broadcasts are completely Communist oriented.

The ILWU continues to operate another propaganda apparatus. It has a book-lending library service that disseminates nothing but Communist literature featuring class conflict and other Communist doctrine. It has a Communist movie loan service. These Communist films are stored and checked in and out by the public library of the Territory of Hawaii. This service to the Communist Party is paid for by the Hawaii and United States taxpayers.

To demonstrate the growing and expanding power of the Communist ILWU, I show you two newspaper clippings.

The Honolulu Advertiser of November 26, 1958, reports the union election among the Foodland supermarket meatcutters.

The ILWU vote was 205.

The AFL-CIO vote was 14.

I show you a report of the Honolulu Advertiser of March 1, 1959, last Sunday, reporting on an election among the clerks of the Foodland supermarket:

The ILWU won with 134 votes.

The AFL-CIO union received 42 votes.

The voting in favor of the ILWU is in spite of the fact that its Communist control is known to every citizen of Hawaii.

This certainly does not show any lessening of the influence of the Communist Party in Hawaii.

Mr. Chairman, I would like to describe just one incident to show how the Communist Party infiltrates the cultural activities of a community.

The Honolulu Community Chorus is a civic musical organization. It has

planned to produce a festival of folk songs this spring in conjunction with the Honolulu Symphony Orchestra. More than 300 vocalists and musicians are to participate.

The choral chairman, Mr. John M. Kelly, Jr., is insisting that the symphony orchestra present the "Song of the Forests" by the Communist composer, Dmitri Shostakovich. This music and words were written in praise of Dictator Joseph Stalin.

Mr. Kelly also insists upon the rendition of "The Lonesome Trail." This music is by Earl Robinson and Millard Lampbell. Both of these men have Communist affiliations for 20 years.

Mr. George Barati, the director of the Honolulu Symphony as of today still refuses to play these two numbers on the ground that they are of poor musical composition.

The inclusion of Communist music, as American folk songs, can be easily explained. The wife of Mr. Kelly is the former secretary to Jack Hall, the Communist director of the ILWU. The secretary of the choral group is Mrs. Ah Qwon Leong McElrath, the wife of the radio commentator for the ILWU and a Communist agent.

There has been a recent change in the Communist tactics in Hawaii. They are now using the soft, velvet approach to gain respectability and acceptance.

Last year, Mr. Newton Miyagi, secretary of the ILWU, was appointed to the Red Cross board. Mr. Miyagi is a die-hard Communist who took the fifth amendment 71 times on questions relating to his Communist affiliations before the U.S. Senate Subcommittee on Internal Security. Mr. Blissard, the U.S. Federal attorney, was so outraged that he resigned as a member of the board.

Strangely, the Federal judge, there, also a member of the board, criticized Mr. Blissard and defended Mr. Miyagi's appointment. The Federal judge was seeking Presidential reappointment.

On November 8, 1956, Gov. Wilder King forced the resignation of his attorney general for attending a testimonial dinner for communist Jack Hall. Governor King was not reappointed.

Judge Stainback, a former Democratic governor, vigorously opposed to the Communists, was also refused Presidential reappointment.

In the 1956 elections, Mr. William F. Quinn accepted the ILWU endorsement for the Territorial senate on the Republican ticket. He is now the Republican Presidential appointed Governor of Hawaii to replace Governor King. I show you newspaper clipping of Governor Quinn tendering a public office appointment to Jack Hall, the prominent Communist leader, as a member of the Hawaii Traffic Commission.

It is a well known political fact of life, that you can't receive the recommendation of the Department of the Interior today under a Republican administration or yesterday under a Democratic administration for a Presidential appointment in Hawaii without the blessing of the Communist ILWU.

Mr. Chairman, I would like to conclude my remarks by briefly reviewing the po-

litical power that is exercised by the Communist apparatus in Hawaii.

In the 1954 elections, the ILWU gave its endorsement to 71 candidates. A total of 58 of the 71 ILWU-endorsed candidates won. Of these candidates, 22 out of 28 candidates for the Hawaii legislature won.

In the 1956 elections 21 ILWU-endorsed candidates won out of 30 representatives in the Hawaii House of Representatives.

In this last election of November 1958, there were 69 offices to be filled by election. For these officers, 57 candidates were endorsed by the ILWU. Four of these candidates rejected the ILWU endorsements. Fifty-three candidates accepted these Communist dominated ILWU endorsements.

Thirty-seven of the ILWU-endorsed candidates won their elections.

Thus the ILWU succeeded in electing 37 out of 69 elective positions in the Hawaii Territorial Legislature for a winning percentage of 55 percent out of all public elective offices.

The ILWU succeeded in electing 37 out of 53 candidates whom it endorsed and who accepted this Communist support for a winning percentage of 70 percent.

It must be remembered that four identified Communists sit on the ILWU political endorsement committee that handed out these endorsements. Their long standing Communist affiliations are well known to every person in Hawaii. These four Communists are: Thomas Yagi, Newton Miyagi, "Castner" Ogawa, and "Slim" Shimizu.

Mr. Newton Miyagi is the same gentleman whose recent appointment to the Red Cross board raised such a furor. During the 1956 U.S. Senate committee hearings on internal subversion, Mr. Miyagi invoked the fifth amendment 71 times and declined to answer when asked if he had been in contact with Russian military intelligence agents.

These are the men whose political endorsements are sought for and accepted in order to attain public office. These are the same Communists who will pass upon and either reject or give political endorsement to the two U.S. Senators and the two U.S. Representatives to be elected in Hawaii and sent to our Congress.

We can best judge the political power of the ILWU by comparing the results of their endorsements with the results of the endorsements of the Republican Party.

Out of the 69 offices in which the ILWU endorsed candidates, 37 won seats; the Republican-endorsed candidates won only 24 seats. In other words, the ILWU endorsement is much more valuable than the Republican Party endorsement.

Mr. Chairman, I reiterate that the power of the Communist Party continues to be so potent that it is a menace to the people of Hawaii and to the people of the 49 States. There is no evidence of the lessening of that power.

In the event of statehood, the Communist Party will, in all probability, exert a continuing tremendous influence on the election of Hawaii's two Senators

and two Representatives. The probable election of ILWU-endorsed Representatives to the U.S. Congress will mean that the Communist Party will exert a substantial influence upon these Members of Congress.

The Communist Party will have succeeded in infiltrating the U.S. Congress and establishing a fifth column in this last defense of the free world.

Mr. Chairman, I received this package of Hawaiian newspaper clippings in this morning's mail.

They tell two simple stories.

In the last election, the Republicans elected 18 members in the Hawaii House of Representatives. The Democrats elected 32 members.

The Democratic speaker was O. V. Esposito. The previous Democratic speaker was Charles Kauhane. Mr. Kauhane is one of the members who accepted and was elected with ILWU endorsement and support.

Jack Hall and Charlie Kauhane joined forces and established a coalition with the 18 Republican members. They unseated Speaker Esposito and elected their own choice, Mr. Eravalho.

Charlie Kauhane is the same person, who 3 years ago, while speaker of the house, sent a gavel to Harry Bridges, to open an ILWU meeting as a token of esteem for that Communist international agent.

Another portion of this newspaper prints a warm welcome to Hawaii being given to the crew of a Russian ship. This welcome is printed in red ink, and in the Russian language.

Since we are living today under a Khrushchev ultimatum over the Berlin crisis, this warm, fawning welcome to Hawaii for these Russians is a most inappropriate act.

It is further evidence of the spirit of appeasement, tolerance, and encouragement to communism on the part of the citizens of Hawaii.

I make this prophecy, that Hawaii will be the first State whose government will be completely Communist controlled. I further predict that statehood will help to create a rebellious situation similar to that of Cyprus on this most strategic military outpost.

Mr. Chairman, this bill should be defeated for the safety and the survival of this Nation.

(Mr. McINTIRE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. McINTIRE. Mr. Chairman, I rise to say that H.R. 4221 has my support, just as it had my support when it last appeared before this body for consideration.

I became conscious of the merits of statehood for Hawaii through the dedicated and unrelenting efforts of the late Honorable Joseph Rider Farrington. Mr. Farrington came to this legislative hall in the 78th Congress as a Delegate from Hawaii, and, owing to his untimely death on June 19, 1954, departed from our midst in the 83d Congress.

The consideration of this legislation before the House of Representatives today bears testimony to the truth that the good that men do lives on long after

they have gone. Indeed, it must be with a great sense of pride that Mr. Farrington's family observes the progress of this principle to which the Delegate from Hawaii gave so much of himself.

The State of Maine can lay claim to many illustrious families, and one of these is the Farrington family. And I feel particularly proud to make known the fact that the roots of this family tree are anchored in Brewer, Maine, a community in the Third Congressional District which I am privileged to represent.

Joseph Farrington was a descendant of this Maine family, and ours was an association that will not quickly be forgotten because it is too easy to remember. I shall always remember him for the fine man he was, and for the enthusiasm he exhibited in his legislative endeavors—statehood for Hawaii was one of these.

It is then with mingled objectivity and sentiment that I lend my strong support to this legislation. That H.R. 4221 has merit, I feel certain—that I can extend this tribute to Joe Farrington brings me a bounty of pleasure and a great sense of satisfaction.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I wish to add my voice to those who are ably endorsing statehood for Hawaii. The Territory of Hawaii has demonstrated beyond a doubt its ability to develop from colonial status, with the concomitant results of economic oligarchy into what we now know as "modern" Hawaii; a Hawaii able to prosper and develop to the fullest its human and natural resources.

The record will show that Hawaii in 1958 was one of the Nation's most progressive and prosperous areas. It will show, for example, that its broadly based economic life brought into our Treasury \$166 million in taxes, putting Hawaii ahead of 10 States as taxpayers. Certainly this fact alone would warrant the right of Hawaii to voting participation in the Congress of the United States, voting in our presidential elections, and to its own popularly elected Governor and Lieutenant Governor.

The record will likewise show that Hawaii is an ever-growing area economically, with a fast-growing population to help in its advance toward continued growth. Stagnation is not the mark of Hawaii. Progress is the word to describe this democratic bastion of the Pacific. Business is developing and expanding continuously and the standard of living of workers has continued to improve. For example, in 1957 per capita income rose to \$1,821, ranking Hawaii 25th with the States.

The record will also show that the young people of Hawaii are willing and competent to meet the challenges of the 20th century and this is significant because they are living in "America's show-window" in Asia. In 1958, 7,000 students attended the University of Hawaii, the highest per population in the Nation.

Mr. Chairman, I have merely highlighted certain facts. There are many,

many more that could be used to show that Hawaii has conclusively demonstrated that its own development and contributions to the United States serve as more than prima facie evidence of its right to statehood.

I would like to turn to other facets involved in considering statehood for Hawaii. It is wrapped up in this observation: "The Nation Needs Hawaii." It should certainly be recognized that by embracing Hawaii as a State, the United States of America would be taking a significant and historical step in favorably influencing the peoples of the Pacific Basin, and indeed in other areas of the world. To admit Hawaii to statehood would demonstrate in no uncertain terms that we practice as well as preach the democratic ideal that all citizens are equal before the law, regardless of color or creed. This shining example in the Pacific would permit half the world's people to compare for themselves the deeds of our Nation with the empty promises of equality espoused by Communist propagandists.

The Nation needs Hawaii for another reason—admission of this Territory as the 50th State would bolster Hawaii's role as our Pacific bastion of defense. The courageous, valuable and never-to-be-forgotten contribution of the Hawaiians in World War II speaks for itself. I might add I was in the Pacific area during the war and can personally attest to the valor and determination of our fellow citizens from the Hawaiian Islands. Certainly the home of Pearl Harbor should be granted the dignity it deserves—statehood.

And let us never forget the positive impact of our action when we granted independence to the Republic of the Philippines. This the people of Asia understood. I firmly believe statehood for Hawaii, in which we find a real mosaic of racial strains, would offer an even more positive and emphatic impact on Asian thinking. In addition, I believe the Asians would be impressed by our support of the will of the Hawaiians to develop and practice local self-government, the touchstone of democracy.

Mr. Chairman, these are ethical concepts which I think are important to keep in mind.

In granting statehood to the Americans of Hawaii we would be adding the window of our freedom in the Pacific—Hawaii—to the American home now comprised of 49 States, a home in which it properly belongs.

Mr. WESTLAND. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, some day in the future the Members of the 86th Congress will look back at what we are about to do today and appreciate more completely the historic significance of granting Statehood to the Territory of Hawaii.

I consider it a privilege to join our colleagues in support of this long overdue measure. For nearly 60 years, the people of Hawaii have been waiting for this day. In every respect, I believe they have demonstrated their readiness for

Statehood and their ability to carry out the obligations statehood imposes. Hawaii has the population, the economic resources, and the tradition of representative government to assure that, as the 50th State of the Union, she will be a proud and worthy addition.

I have considered as thoroughly as possible the objections which opponents of the bill have raised. I do not believe these objections are at all conclusive. Many of them are based on the rather questionable speculations advanced as to the future political behavior of the population—speculations which do not seem to me to be supported by past experience.

Nor do I share the concern of some that Hawaii lies several thousands of miles in the Pacific—a considerable distance from the shores of continental United States. In this age of fast ships, jet aircraft and miracles of electronic communication, Hawaii is very much a neighbor to all our States.

As we prepare to accept Hawaii as our newest State, Mr. Speaker, I am reminded of our action last year in granting statehood to Alaska. At that time, many of us called attention to the pledges both our political parties had oftentimes made to both Alaska and Hawaii, and we expressed our intentions to continue working for the admission of Hawaii.

Consequently, it seems fitting to me to look ahead at this time to the next great responsibility of this Congress—the enactment of a home rule bill for the District of Columbia. It is hardly necessary today to review the many reasons why this is important: the need to be honest with the citizens of Washington, the need to relieve this national deliberative assembly from the burden of deciding the most insignificant of local affairs, and the need to raise our Nation's Capital to self-governing status.

As a great American newspaper recently observed, home rule for the District of Columbia would free all Americans from the irony of denying self-government to the Capital of the greatest self-governing Nation in the world.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, my purpose in rising is to speak in favor of the bill H.R. 4221, which, if enacted, would grant statehood to Hawaii.

I cannot help but believe that if the majority of the Members of this House had visited Hawaii sometime in the past there would be no doubt about the success of the legislation presently under discussion.

Few places on earth are more attractive. Few have the physical advantages Hawaii possesses—the mild climate, abundant natural beauty, and a friendly, heterogeneous population.

I think it was Mark Twain who said of Hawaii, "The most beautiful fleet of islands ever anchored in the sea."

But a Territory does not become a State on the basis of aesthetic criteria. Hawaii merits statehood on more realistic grounds.

No Territory, with the exception of Oklahoma, has ever possessed a popu-

lation as large as Hawaii's at the time it sought statehood in the Union. Hawaii's population is approximately 600,000.

Thomas Jefferson, in his statement on the qualifications for a Territory seeking statehood, thought that 60,000 was an adequate number. Times have changed, admittedly, but the barriers that once stood in the way of statehood for Hawaii have been eliminated by man's technological and sociological progress.

Distance, for example, was once a principal impediment to the recognition of Hawaii as a State. Yet those 2,200 miles of ocean that separate this beautiful segment of America from the mainland have been spanned in a few hours by jet planes. Telephonic and radio communications place the islands in immediate contact with Washington.

As for sociological progress, Hawaii is made up of people of Polynesian, Japanese, Philippine and oceanic origins. Yet they live together under a system of town government similar to our own. They have free elections, they are subject to our Federal laws, they are citizens of our country, and have been since Hawaii ceded its sovereignty to the United States at the turn of the century.

These people have one thing in common—an abiding faith in the fairness of the United States to grant them the privilege of first-class citizens, and to admit their Territory as a State.

Fifty years ago, with the biased viewpoint of most Americans toward the Asiatic races, such a step would have been impossible.

Today, with the world growing smaller, with man more dependent on his fellow man than ever before, statehood for Hawaii is not only possible but necessary.

Why is it necessary? Because—

Hawaii is our great bastion of democratic strength in the Pacific.

It is the bridge which can unite us with our allies in Asia through ties of understanding and mutual respect.

It has a self-supporting economy.

It is rich in two very much needed agricultural products—cane sugar and pineapples—which produce sales of a quarter-billion dollars annually.

It offers the the only safe harbor for large naval vessels between California and Asia's mainland.

It provides key bases for our Air Force, Navy, Army and Marine Corps in the tremendous area of the Pacific.

The people of Hawaii have proved their right to statehood by every reasonable test of patriotism and good citizenship.

The people of Hawaii are fully qualified to fulfill the responsibilities that statehood would impose upon them and they would do so intelligently, honorably and in the best interests of the Nation.

The Senators and Representative sent by the State of Hawaii to the Congress would not only serve the interests of Hawaii with competence and integrity, but they would also in my humble opinion fulfill their responsibilities to the Nation as a whole with ability and honor.

Statehood would strengthen Hawaii's economic future and contribute to the further political and social progress of these islands.

It is part of America and should not be treated like a poor relative, especially when we recall the sacrifices of its citizens during World War II.

Not a single act of sabotage disturbed the Islands. Several thousand Niseis went to their death in Europe to show their affection and loyalty to the country which had given them the opportunities inherent in freedom.

And when the Nisei Regiment which had been shot to bits in Europe was being re-formed and 2,000 more men were asked for, thousands clamored for admission to its ranks so as to do their part for the United States and prove to the world that the Japanese-born citizens of Hawaii were truly appreciative of being citizens of our great country.

Your speaker has talked with many of the Japanese people of Hawaii. They are proud to be Americans—proud of Hawaii—eager for it to be a State. They speak our language, follow our customs, and long for full admission as an integral part of the United States.

The political developments which will follow Hawaii's admission as a State are obvious. But to permit consideration of these developments to stand in the way of favorable action because they might have a certain effect on current legislation is to try to turn back the dynamics of our age and divert the trends of the times.

Hawaii will make a great contribution as a State.

The oft-mentioned communism of the islands—which, by the way, is greatly exaggerated—will eventually pass away in their new found pride in the sisterhood of States.

To let one Communist of importance on the islands stand in the way of statehood is like destroying an orchard because of one blighted tree.

Now is the time to add to our flag the 50th and final star. Now is the time to give fulfillment to the veiled assurances given over half a century that Hawaii would someday become a State.

Now is the time to link that fleet of islands anchored in the sea inseparably to our shores, so that no world event will ever take them from us.

I would like to read an excerpt from an editorial which appeared in the New York Times of March 3:

Nothing has been more impressive in the recent discussion of this issue than the flimsiness of the arguments of those who oppose statehood. Sometimes these arguments are directly contradictory, as when some critics charge that Hawaii is in the hands of a few large corporations, while others claim it is really ruled by henchmen of Harry Bridges. Sometimes these arguments enter the realm of fantasy, as when they allege that admission of Hawaii as a State would give Communist propaganda grounds for accusing us of colonial imperialism.

But the most unworthy argument against statehood is the one which stresses the non-Caucasian nature of most of Hawaii's population. This is racism with a vengeance and directly contradictory to every ideal of our democracy. American citizenship is not, and

should never be, restricted to white men, to people of European origin, or to any other such narrow "elite." It is the glory of our Nation that here men of every color, origin, and religion have come together to live in freedom and equality, though these ideals have not everywhere been realized. Hawaiians of every background have proved their loyalty by fighting and dying for our country on equal terms with Americans from the mainland. Against that background statehood for Hawaii is an obligation the rest of us have long owed our fellow Americans who live in those beautiful islands.

A previous speaker talking about Hawaii pointed out that it was a small area which would be given four votes—two Senators and two Congressmen. I would like to point out that the same can be said of several of our present States: Vermont is one; Nevada, Delaware, Rhode Island, and so on.

Let me give you some figures dealing with the prosperity of the island.

In 1957 Hawaii experienced the most prosperous peacetime year in history; 1958 was expected to exceed this.

The per capita income of Hawaii residents reached \$1,821, higher than in 24 States.

Total income was more than in eight States.

Hawaii paid \$166 million in Federal taxes, more than any of 10 States.

The economy earned \$23 million more than it spent in 1957.

Retail trade climbed from \$612 million in 1956 to \$660 million in 1957.

Defense expenditures rose from \$285 million in 1956 to \$308 million in 1957.

There is one other point I would like to make here.

In 1950 the citizens of Hawaii elected 63 delegates to a convention to draft a constitution for the future State of Hawaii.

Of a slate of 14 candidates endorsed by the ILWU leadership, only 3 were elected. They were:

Richard M. Kageyama, who after his election admitted he had been a Communist Party member in 1945. He was forced to resign as a delegate.

Frank G. Silva, an ILWU business agent on the Island of Kauai. After being elected he refused to tell a House Un-American Activities Subcommittee whether he was a Communist. He was expelled by the convention for "contumacious conduct."

Frank C. Luiz, an ILWU business agent on the Island of Hawaii and a member of the county civil service commission. He voted with his colleagues to oust Silva, his fellow business agent.

The Hawaii State Constitution as drafted included a provision that "no person who advocates, or who aids or belongs to any party, organization, or association which advocates the overthrow by force or violence of the Government of the United States shall be qualified to hold any public office or employment." It will be the first State constitution to contain such a provision.

ILWU leaders strongly opposed ratification of the reactionary constitution. They waged a vigorous campaign to defeat it in the November 1950, general elections. Nevertheless, the constitution was ratified by the voters of Hawaii by

better than a 3-to-1 margin, with a plurality of more than 55,000 votes.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, I have long and consistently supported statehood for Hawaii and I am glad to have this opportunity to say something here in behalf of this measure.

By virtue of its substantial population of good American citizens, its contribution in taxes to the national welfare, its size, its proximity to our mainland shores, and by virtue of its history of good Americanism, Hawaii has earned the right to statehood. A compelling additional reason for admission to statehood is the national defense requirements of our Nation. I firmly believe that granting statehood will be a positive factor for continued growth and stability in the population there, which undoubtedly would be in the interest of our national defense.

During the early part of World War II I had the privilege of spending the better part of a year in the Hawaiian Islands while training for jungle fighting in the South Pacific and performing other military duties in that area. During this stay I was in close contact with a large number of people who have lived in the Hawaiian Islands for generations and I was deeply impressed with their loyalty to America and the fine American principles by which they lived.

The record of individual heroism for America among the Hawaiians is truly outstanding. Gen. Mark Lance once described a Hawaiian regiment of World War II as "the most decorated unit in the entire military history of the United States." Their superlative record in the Korean war is summarized by the House committee report as follows:

Not one case of cowardice by a Hawaiian soldier in the face of the Communist enemy.

The statistical record of those Hawaiians giving their lives for our country in the Korean war was unsurpassed by those of any other area.

The role of Hawaii in our defense picture should never be minimized. Statehood can only increase and improve the efficacy of this role. It is obvious that the more stable a local government can be the more successful would be the control and defense of that area in case of a sudden attack. There can be no question that the State and local instrumentalities of law and order would be much more effective than the Territorial administration. Just such reasoning is embodied in a Department of Defense report of 1950, as follows:

Statehood for Hawaii would undoubtedly give a considerable added measure of strength to the overall defense in the event of an emergency.

Gen. Douglas MacArthur says: "Hawaii should become our 50th State." This is also the opinion of President Eisenhower, our chief military and civil authority, in 1959.

It is my understanding that this opinion is shared by the leading military authorities who have studied the question.

So, I find myself completely in harmony with the idea that it is in the na-

tional interest of our country to allow self-government in this area. They are already American citizens. They have earned the right to self-government within the Federal structure, and I am glad to raise my voice as a Floridian welcoming to the Union a beautiful sister State, Hawaii.

(Mr. BENNETT of Florida asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, it is with the deepest satisfaction that I address the House on this occasion. Today we are beginning for, I hope, the last time, the perennial debate on Hawaiian statehood. For 60 years the good Americans of Hawaii have waited while the Congress has delayed, stalled, considered, and reconsidered their pleas for simple justice. For 60 years they have paid taxes, served in the Nation's Armed Forces, and borne all the duties and responsibilities of American citizenship. For 60 years they have shared with their fellow Americans the hopes, the fears, the aspirations, and the frustrations which have afflicted us all. Yet for 60 years, these people have been singled out as somehow unworthy of the one inestimable privilege which everywhere else has gone hand in hand with those duties—the privilege of the vote. In return for their voteless status, they have enjoyed no special dispensation. They have been taxed without representation, they have been drafted without representation, and almost alone among American communities, they have been bombed without a voice to speak for their problems and without a vote to assert their views on this floor.

Like our newest sister State, Alaska, Hawaii has been ably and eloquently represented by its distinguished Delegate, JOHN BURNS. We who know JOHN BURNS know that any State would be proud to have him serve as one of its Representatives in the Congress. But JOHN BURNS, in spite of his contributions to our deliberations, in spite of his wise counsel, in spite of his devotion to his God and his country, has been a voteless, powerless, spectator of the legislative process. His influence has been felt, but his voice has never been heard in that sacrament of self-government, the rollcall vote.

Now, Mr. Chairman, we are turning once again and, let us hope, for the last time, to an attempt to undo this ancient wrong. We are about to vote, not to confer a favor upon Hawaii, but to undo an injustice wrought on ourselves. This Hall, Mr. Chairman, is a shrine of self-government. It is a place which has been hallowed, not by the transient individuals who have served here, but by the fact that here is embodied the principle of self-government. Here is made manifest the idea of Thomas Jefferson that all just governments derive their power from the consent of the governed. In acting, within the confines of this historic Chamber, to govern peoples

whose consent is not asked and whose participation is not encouraged, we have weakened by our example what we uphold with our words. Every time the Congress of the United States acts to pass legislation for the governance of a Territory when such an act could be passed by the legislature of a State, we are cheapening our own dignity and demeaning our high office, no matter how generous may be the terms of such legislation. It does not matter that this Congress has been fair and even open-handed with the American citizens of Hawaii. What does matter is that we have, by these 60 years of delay, denied that American citizens are capable of self-government. If the citizens of Hawaii, as American citizens, are unworthy of the vote, then no citizen of any State is worthy of the vote. It does not matter how that vote will be cast. I do not know, and I could not care less, how the people of Hawaii will vote in presidential elections, or in congressional elections. There are two alternatives, Mr. Chairman. Either these people are worthy of making their own mistakes or our own constituents are not worthy to select us and, hence, we are ourselves not worthy to govern a great Nation.

Mr. Chairman, Hawaiian statehood is an issue not confined to Hawaii. It sets before us, unmistakably, the question of our own belief in the American system of government. I mean to show forth my faith in that system and to vote for Hawaii's admission to the Union.

(Mrs. GREEN of Oregon asked and was given permission to revise and extend her remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, there are many reasons why I favor this legislation providing for the admission of Hawaii as a State in the Union. The primary one is because it is important in the defense structure of this Nation.

HAWAII'S MILITARY IMPORTANCE

Hawaii's place in the military program of our Nation over the years is well known. After the disaster of Pearl Harbor, the islands became the major staging base and fleet service center for the successful prosecution of the Pacific conflict. Later the islands served again as a vital relay station for men and materials used against the Communists in Korea. The islands stand today as a mid-Pacific bastion; headquarters for military defense in the entire central and western Pacific.

Three outstanding military figures of this generation have gone on record in support of Hawaiian statehood. These include President Eisenhower, who endorsed statehood again, during the course of his message to this Congress.

In July of last year Gen. Douglas MacArthur had this to say:

Hawaii should become our 50th State. No sophistry of political manipulation should delay the conferring of full status of citizenship on this loyal and devoted community.

That a Nation such as ours, founded on the concepts of liberty and freedom, should

further hesitate on such a basic question of right and justice is not understandable.

Retired Adm. Chester Nimitz is on record with this statement:

I have given close study to the islands from a military and naval aspect. I perceive no objection from a military or naval standpoint to the Hawaiian Islands achieving statehood. I have great admiration and appreciation of the complete and wholehearted cooperation they gave me in the war effort.

A Department of Defense report of 1950 said:

Statehood for Hawaii would undoubtedly give a considerable added measure of strength to the overall defense—in event of an emergency.

Today Hawaii's military importance increases rather than diminishes. Five major Pacific commands direct the Pacific's destiny from Hawaii.

At Pearl Harbor the joint air-sea-land Pacific command exercises control of forces from the west coast to Formosa. This command also embraces our scattered Pacific Fleet units. Within 10 miles of CincPac headquarters at Pearl Harbor are command posts for Pacific Air Force, Pacific Army, Pacific Fleet and Pacific Marine Forces.

The Army has six major posts in Hawaii. At Schofield Barracks a combat-ready Army division trains in reserve. Hickam Air Force Base is headquarters for the Pacific Air Force and nerve center for a Military Air Transport System that reaches from California to Saudi Arabia.

A combat-ready regiment of Marines with jet-fighter air arm is based at Kaneohe, Oahu.

Today as we again are faced with a situation in the Pacific that threatens national security, statehood for Hawaii would serve notice to the world and particularly to the troubled free countries of the Pacific rim that we intend to stay in the Pacific.

(Mr. PRICE asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I want to commend the distinguished gentleman from New York [Mr. O'BRIEN], the distinguished gentleman from Colorado [Mr. ASPINALL] and the other members of the Committee on Interior Affairs for bringing this legislation to the floor today for our action. I want also to commend our distinguished colleague and friend, the Delegate from Hawaii [Mr. BURNS], for the untiring effort he has given to the matter of statehood for Hawaii for more than 2 years. This action is a tribute to his work and to his skill. We all congratulate him and our fellow Americans in the "Paradise of the Pacific." We welcome them into the Union. We are happy to see this gem of the West rise to the galaxy of Old Glory as its 50th star.

Mr. Chairman, this action is long overdue. It will strengthen America. I rejoice in this historic event. Aloha Hawaii!

(Mr. ALBERT asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska [Mr. RIVERS].

Mr. RIVERS of Alaska. Mr. Chairman, aside from the overwhelming majority of the people of Hawaii who have struggled for years to gain admission of Hawaii as a State of our great American Union, I feel that I have a better basis than most people for understanding the underlying human values involved.

As the sole Member of this House from the new State of Alaska, my memory is fresh as to how it feels to be a colonial on the outside looking in as contrasted with the fulfillment of being on the inside looking out.

As a youth raised in Alaska, and an adult who has spent his mature years in Alaska, I have never been eligible, until 3 months ago, to vote in an election for President of the United States, or, until 5 months ago, to vote for Senators and a Representative in the Congress, or even for Governor.

The people of a territory organized by the Congress under the American flag are satisfied for a period of years to conduct a program of limited self-government, under tutelage, so to speak, as preparation for eventual statehood. After having gained experience and a fair degree of political maturity and economic self-sufficiency, the people of such a territory find themselves eager to be graduated and awarded the full measure of American political rights and responsibilities. Such full recognition is regarded as the achievement of a great goal. This is true because the people of such territory are staunch admirers and advocates of the fundamental principle of our American system of government, loyal and devoted and patriotic American citizens. Having been for many years incorporated into the Union, and inalienably a part thereof, they have nowhere to go except statehood, other than to remain in the twilight zone of territoriality. Accordingly a denial of statehood for Hawaii at this point in our history would be a great injustice. To grant statehood to Hawaii, which I am sure this Congress is going to do, will build another monument to the greatness of the United States. Concurrently the United States will benefit by enabling full participation by the people of Hawaii in the conduct of our national affairs, thereby obtaining the benefit of the fine contributions which I know they will make as the 50th State of our great Union.

(Mr. RIVERS of Alaska asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise to add my voice to those who have spoken so effectively on behalf of statehood for Hawaii.

Mr. Chairman, the qualifications of the Territory of Hawaii for admission to statehood are self-evident. Its people

are industrious, wholeheartedly loyal to the United States, and well educated as to the responsibilities which accompany statehood. The Islands themselves represent in microcosm what this Nation as a whole has so splendidly and significantly contributed to the history of civilization: the proven ability of peoples of diverse races and backgrounds to work together and live together purposefully, in harmony, and with mutual respect.

Were these not reasons enough—as I believe them to be—we cannot afford to overlook the tremendous importance of Hawaii to our national defense and security as both a bastion and an outpost in the Pacific.

For this reason, Mr. Chairman, as well as for the others I have stated, I happily endorse and urge the passage of H.R. 4221.

(Mr. LINDSAY asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. BERRY].

(Mr. BERRY asked and was given permission to revise and extend his remarks.)

Mr. BERRY. Mr. Chairman, as has already been indicated, I was a member of the subcommittee that went to Hawaii last November. We went there for the purpose of obtaining facts. We spent 2 weeks there, not in holding hearings, not in bringing witnesses in before us with self-serving statements, as our chairman has indicated, but, rather, going to the people ourselves to get their views. We visited with people from all walks of life. We visited with people from all businesses and professions. We went into the ILWU meeting. We went into the service clubs. We went into the schools. We went to the university and visited with the president, the professors, and members of the board of regents. We went to the FBI. We went to the chairman of the Territorial Un-American Activities Committee. We went to the IMUA organization. We talked with people on the sugar and pineapple plantations and we talked with management and labor, both. We went to the churches. We talked with the ministers and the priests. I do not know how any group could have more fully and completely obtained a cross section of the thinking and the feeling of the people than we obtained in those 2 weeks of hearings, and it is my purpose, Mr. Chairman, to give to this committee a report.

First, as the gentleman from New York has indicated, I did support statehood in the last session, but I did it with some misgivings as to whether or not communism in the islands was something that should be feared and, as my colleagues will confirm, I was like the proverbial man from Missouri, I had to be shown. I came away from the islands convinced that I could in clear conscience support statehood without any reservation. We found there a situation that is unique in the United States. The island legislature has established a Territorial Un-American Activities Committee with a full-time staff, a commit-

tee whose purpose it is to talk with the FBI, to work with the FBI and other organizations in seeking out and providing to the Governor of the islands and to the legislature of the islands such information as they are able to obtain on subversive activities in the islands. This organization works very closely with another group known as the IMUA, which is composed of a group of patriotic, hard-working, conscientious businessmen who also have a staff of employees and whose sole purpose it is to keep the people of the islands informed on any subversive activities. They name names. They do a good job not only of informing the people of the islands what the activity may be but also informing the voters on what candidates are receiving political support of ILWU and support of those who have in the past been named as subversives.

On the other side of the coin, however, there is no evidence to indicate that those who have been named in previous congressional committee reports or who were convicted under the Smith Act have actually changed their spots, except that our committee was told by Jack Hall that he and the other five persons who were so convicted would take an oath that they have not been affiliated with the Communist Internationale for more than 5 years. I should point out, however, that none of the six have gone to the FBI or to the Territorial Un-American Activities Committee and attempted in any way to offer their services or their assistance or their information to these organizations in connection with helping to stamp out communism or the effects of communism either on the islands or on the mainland. I do not condone this action or lack of action. On the other hand, I do believe that the situation is under better control on the islands than it is in most of the areas on the mainland.

We were told that there are about 25 people in the islands who, down through the years, have been identified with the Communist movement; but the significant thing is, there has been no new activity since the trials under the Smith Act several years ago. We were told that these trials had crippled the Communist apparatus and that under the white light of publicity in recent years and a constantly alerted citizenry, it would remain under control either as a Territory or as a State.

We talked the problem of communism with everyone in all walks of life from the president of the university to the chairman of the board of regents, to the men in business throughout the islands, to workers, to the owners of the ranches, the plantations, the tourist attraction operators, and almost without exception we were told that communism is no greater a problem on the islands than it is on the mainland, and that this issue should not be used as a valid argument against statehood.

I had the privilege of asking Admiral Felt, the Supreme Commander of the Pacific, what effect statehood would have in the Pacific. His answer was that it was his considered opinion that to refuse Hawaii statehood, after granting it to

Alaska, would be a serious blow to our position in the Far East.

Mr. Chairman, I am not supporting statehood because of our international relations. I am supporting it because 60 years ago we promised statehood to these people when they could prove they were ready for it.

Mr. Chairman, they have today proven they are ready for full citizenship and statehood rights, and I am prepared to cast my vote to give it to them and to bring this great area into the union of United States.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. QUIGLEY].

Mr. QUIGLEY. Mr. Chairman, I merely wanted to state for the record that when rollcall No. 9, on the rule for the Hawaiian statehood bill, was taken, I was at the Department of the Interior on official business in connection with the acquisition of lands involved in the Gettysburg battlefield area. Had I been present I would have voted for the rule.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. LIBONATI].

(Mr. LIBONATI asked and was given permission to revise and extend his remarks.)

Mr. LIBONATI. Mr. Chairman, I realize, being a neophyte, that anything I might say here has been thoroughly discussed in an analytical sense relative to the admission of a State to the Union.

After all, Congress acts purely as the machinery of government toward this accomplishment—granting admission upon the manifest approval of all of the people of the United States. It should not be determined in Congress by sectional division based on political or racial bias.

Hawaii has contributed much to the defense of the Union. Hawaii is a strategic place. We are spending millions of dollars upon various geographical sites for the protection of America. How can we now deny people of the Republic, who are stepcitizens or secondary citizens, the right to what they have earned—a voice in Government?

I say to you that we, as servants of the people, can only analyze this question from the standpoint of what is the fundamental belief of each citizen of the United States relative to the entry of Hawaii; and I am sure that the public press and other disseminators of information—the radio and television—have indicated to us that the people of America are asking that you admit Hawaii into the Union; that you facilitate this matter; that you create, in Hawaii, a spiritual and cultural feeling of contribution to the common cause of the United States; that you, in your honest endeavors, set aside any political question or any question based upon the contribution of the economy of Hawaii to this great Government.

On the other hand, the people of America are asking that you admit Hawaii because they are fellow Americans; that they have a common interest; that they have a constitution similar to our own; that they are a proud State, too,

except that, as a Territory, we gave them the opportunity to work toward the successful accomplishment, in the future, of becoming a State in the Union.

Some of us seem to feel that it is a personal opinion for determination, or is related to political questions of our State or on consideration of financial factors, each contributing to a background which might negate or approve the acceptance of Hawaii.

This is a national question—whether Hawaii as a State in the Union will contribute to the common cause of the American citizenry in maintaining its democratic institutions and establishing a firm government.

You cannot deny Hawaii the right to participate in our governmental affairs. In order that she might participate, you must recognize her as a State. It is an edict already determined by the American people.

I thank you very much.

Mr. RHODES of Pennsylvania. Mr. Chairman, I am pleased to express my support for the Hawaiian statehood bill. The people of Hawaii have proved themselves to be good citizens and good Americans in time of war and in peacetime. They are entitled to full and equal rights of citizenship including voting representation in Congress, the right to choose their own elected officials at all levels of government, and a full share of Federal grant-in-aid programs.

By every type of measurement, the people of Hawaii have proved that they are worthy of statehood. Hawaii is economically strong, industrious, and prosperous. Per capita income is higher than that of 25 other States. Industry is becoming ever more diversified. Its population is growing rapidly. Its agricultural economy is sound. The people of Hawaii pay more Federal income taxes than 10 other States. Hawaiians are well-educated and alert to the responsibilities of citizenship.

As the test tube of democracy in the Pacific, Hawaiians have proved that peoples of varied racial, cultural, economic, and political backgrounds can live and work together to build a truly American society in the best traditions of our democratic system. Admission of Hawaii as a State will serve as an example to the peoples of the vast Pacific and Far East that we practice democracy as well as preach it in our relations with other countries.

Statehood for Hawaii has been endorsed by both political parties and by virtually every important organization representing the views of farmers, workers, and industry. The people of the United States have time and again registered an overwhelming support for statehood in public opinion polls. The statehood bill has been passed by three previous Congresses.

Mr. Chairman, the people of Hawaii are ready for the responsibility of statehood. They are entitled to statehood. Let us act now to fulfill their destiny by voting overwhelmingly to make Hawaii our 50th State.

Mr. REUSS. Mr. Chairman, we are here today to do justice to half a million Americans by granting statehood to Hawaii. The next step, logically and

morally, should be restoring home rule to the District of Columbia.

There are those who think we can continue, indefinitely, to deny justice to the nearly 1 million people of Washington. I do not believe this House will accept that argument. In spite of the opponents and the doubters, we have granted statehood to Alaska. We are acting now to grant statehood to Hawaii. We should move on, and soon, to home rule for the District.

Four times in the past 9 years, home rule has been approved by the other body. Each time, it has died for lack of action in this House. The responsibility is ours and we must meet it—and soon.

Under the circumstances, it is ironic that the motto of the District of Columbia is "justitia omnibus"—justice to all. Perhaps this motto was chosen back in the days when the District had its own government. Otherwise it is a cruel joke. What kind of justice is it that prevents 825,000 Americans from running even their own local affairs—takes their taxes but denies them a voice in the spending of their taxes? What right do we have to tell nearly a million people—American citizens like ourselves—that they are second-class citizens who shall have no vote, no voice in their own affairs?

I personally want a chance to vote on the issue. A number of bills have been introduced in this House, with bipartisan backing, to restore home rule to Washington. I trust we will soon have an opportunity to vote on this issue and do justice to all the people of Washington.

Mr. FULTON. Mr. Chairman, I want to go on record as favoring the admission of Hawaii as a State. The 85th Congress will be remembered as the Congress that admitted Alaska to the Union. It would be fitting for the 86th Congress to be remembered as the Congress which granted statehood to Hawaii.

Hawaii is both economically and politically fully ready to assume the status of a State. The argument of non-contiguity has been raised against statehood for Hawaii. This is an outmoded argument in the present air and space age. Since the admission of Alaska as our 49th State the argument of non-contiguity is overruled.

Hawaii is American, and as such its people are full United States citizens and deserve full representation in the Congress as well as the authority to handle local problems locally as a State, rather than as an incorporated Federal Territory.

It is my sincere desire and hope that the 1st session of the 86th Congress will be the time when Hawaii and her people attain the status of first-class citizenship. We should pass the bill for statehood for Hawaii today.

Mr. O'BRIEN of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 4221) to provide for the admission of the State of Hawaii into the Union, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to insert in the Record immediately following the question by the gentleman from Pennsylvania [Mr. FULTON] an explanation of the difference between an incorporated territory and an unincorporated territory, and the status of the Island of Guam, the Virgin Islands, and the trust territories.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that all Members who desire to do so be permitted to extend their remarks on the pending bill at the conclusion of general debate today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LIMITATIONS ON USE OF APPENDIX

(Mr. JONES of Missouri asked and was given permission to extend his remarks at this point in the Record.)

Mr. JONES of Missouri. Mr. Speaker, I want to make a suggestion on how certain changes might be made to facilitate the use of the CONGRESSIONAL RECORD. If I am correctly informed, the CONGRESSIONAL RECORD was designed to record the proceedings and debates of Congress, which it does with a remarkable degree of accuracy.

Perhaps I am too critical, and again it may be because I am constantly trying to find ways in which this Congress can save money, but I have some suggestions which I think might serve a good purpose.

During the 10 years I have served in this body I have witnessed an increasing abuse of the privilege Members have of extending their remarks in the Appendix of the Record. It is becoming more time-consuming all the time and from year to year, to attempt to peruse the great volume of extraneous material that appears in the Appendix, and no wonder some Members have felt the need of an administrative assistant, even if he did nothing else than to note the extensions which are made in the Appendix.

However, I believe the need for this additional employee might be lessened, if the Appendix could be edited and classified, and another section of the CONGRESSIONAL RECORD be set aside under a separate title to properly identify material other than remarks of Members and material pertinent to legislation. This in itself might not reduce the cost of printing, but after having some of our extensions consigned to that section of the Record, I rather imagine there would

be fewer requests for insertions of such inconsequential material that is unrelated to legislation or the actions of Congress. More effective, however, would be the placing of a limitation on the number of times during a session or the amount of space which any one Member might use during a session. At \$85 a page, the saving would be no small item in the course of a year. Such limitation would also offer an opportunity to decline requests for insertions of such material.

On Monday of this week unanimous consent for extensions in the Appendix of the RECORD was granted to 1 Member in 10 instances; to 2 Members in 8 instances; to another, 7; to another in 6 instances; to 5 Members in 5 instances; and to 15 other Members in from 2 to 4 instances.

If Congress—and Members of the House of Representatives are not the only ones at fault—persists in wasting the taxpayers money in this fashion, not to mention other ways which have been more widely publicized, how can we expect to convince anyone that we are interested in economy or capable of fiscal responsibility?

NATIONAL GAS ACT

(Mr. ALGER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ALGER. Mr. Speaker, few in this Congress are not concerned over Supreme Court decisions in recent years which, whatever their legal merits, certainly did not implement the obvious intent of Congress in enacting the various laws in question.

In no case has Congress' purpose been more clearly thwarted than by court interpretation of the National Gas Act of 1938 in the now famous Phillips Petroleum decision.

I have today introduced, again as in the last Congress, in cosponsorship with the very able gentleman from Mississippi [Mr. WILLIAMS], a simple measure which attempts no far-reaching overhaul of basic law. As a matter of fact, it simply restates and so clarifies section 1 of the National Gas Act, that all who read it may determine that it means just what the Federal Power Commission, the gas producers generally, and most other moderately intelligent though perhaps legalistically unsophisticated minds had always thought it meant prior to the Supreme Court's Phillips decision.

Section 1 of the act reads:

Section 1(b) (15 U.S.C. 717): "The provisions of this chapter . . . shall not apply to any other transportation or sale of natural gas or to the local distribution of natural gas or to the facilities used for such distribution or to the production or gathering of natural gas."

FINANCING OF TVA POWER PROGRAM

(Mr. JENSEN asked and was given permission to extend his remarks at this point in the RECORD and include a statement he made before the Committee on Public Works today relative to H.R. 3460.)

Mr. JENSEN. Mr. Speaker, I appeared before the House Public Works Committee this forenoon in opposition to H.R. 3460, a bill which among other things would permit the TVA to float its own bonds.

My statement to that committee follows:

I understand that only 2 days of hearings have been scheduled on this bill, H.R. 3460, one to hear the proponents and one to hear the opponents. Frankly, I am surprised that no more time is being taken on a bill that, if enacted, would have such serious and far-reaching adverse effects on the future of this beloved Nation of ours. It would be just a forerunner of other similar assaults on the principles and standards upon which this Nation was founded in keeping with the Constitution.

As a member of the Appropriations Committee of the House of Representatives, I particularly object to the H.R. 3460 bond issue proposal for future financing of the Tennessee Valley Authority power program. This proposal is nothing more than an attempt to bypass the Appropriations Committee and to eliminate the control of the elected Representatives of the American people, in Congress assembled. It is also an attempt to create a hydra-headed entity that would have a primary obligation to the bondholders and a secondary obligation to the American people. Its control would rest in the hands of three men not elected by the people who in effect have more power to control the destinies and welfare of the region within which the TVA operates than do the Governors of the States involved.

The proposed revenue-bond method of obtaining funds for TVA, bonds without the full faith and credit of the Federal Government back of them, is something new in Federal agency financing. If permitted, it could be the beginning of widespread extension to other agencies of the Federal Government. It is contrary to the provisions and intent of the Constitution of the United States. It is not in keeping with the principles and standards upon which this Nation was founded.

I believe that Congress has the right and the duty to pass annually upon the financing of the Federal Government and its various agencies. This right is inherent in the Constitution that provides that "No money shall be drawn from the Treasury, but in consequence of appropriations made by law."

Year after year proposals are made to use the back-door approach to the Federal Treasury or to obtain money for Federal agencies or programs by methods not in keeping with the Constitution of the United States.

Believing as I do that this bond issue proposal and many other features of H.R. 3460 are not in keeping with the Constitution and the basic principles on which this Nation was founded, I am dutybound to oppose it with all the strength at my command. I can do no less.

As I read this bill it would have the following effect:

Practically remove TVA from any congressional control.

Set up a method of financing a Federal agency that is not in accord with the Constitution and the principles on which this Nation was founded.

Provide no real limitation on the area in which TVA power could be utilized.

Repeal present law providing for repayment of \$1,200 million of taxpayers' funds appropriated for TVA power facilities and replace this requirement with a substitute that would permit up to 120 years or more for such repayment.

Make no provision for payment into the Treasury of an amount comparable to Federal taxes paid by most non-Federal utilities.

Provide for no repayment of, or interest on, the \$500 million of the Federal investment made in TVA power facilities through the use of power revenues we have been told belonged to all the people. (Actually a large part of these revenues were derived from Federal agencies.)

Twenty years ago I stood on the floor of the United States House of Representatives and took my first oath of office as a representative of the 7th District of the State of Iowa. I have repeated that oath for each of the Congresses since that time, and so long as there is a breath in my body I shall honor that oath. You are familiar with the oath but for the RECORD I repeat it here:

"I, BEN F. JENSEN, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

In the Constitution of the United States which each of the people's representatives in Congress took an oath to uphold, our forefathers set up a system of checks and balances so that the rights and freedoms on which this great Nation was founded would long endure.

First, was the Congress itself which was to enact the Federal laws in keeping with the provisions of the Constitution.

Second, was the executive department of the Federal Government which was to carry out, in keeping with the provisions of the Constitution, the laws enacted by the Congress.

Third, was the Supreme Court which was to rule on the question as to whether the laws enacted by the Congress were in accord with the Constitution.

In connection with the matter before us relative to the amendment of the Tennessee Valley Authority Act, I think each Member of Congress in passing on these proposals, must ask himself: "Is the position I am taking in keeping with my oath to uphold and defend the Constitution of the United States?" It is my belief that the bill under consideration here is not in keeping with the provisions of the Constitution of the United States. I am afraid that we too often give little consideration to this matter of the constitutionality of laws proposed for passage by the Congress, thinking, in too many cases, that after all, "we have the Supreme Court to rule on such matters." Yet in many, if not most instances, it is almost impossible to get the matter brought before the Supreme Court for judicial determination. And there are those who question whether the Supreme Court itself has of late been properly exercising the powers assigned to it. It seems to me under the circumstances, each Member should endeavor to analyze for himself whether he is acting and voting in accordance with his oath of office to uphold the Constitution of these United States of America.

It is my belief that a servile Congress, in 1933, created in the Tennessee Valley Authority a separate "socialistic empire" within these United States that has now grown into a Frankenstein monster that wants to throw off the controls of the body that created it. I for one will not shirk my duty to fight for the preservation of the constitutional obligation to maintain the congressional authority prescribed by that great document and to regain those controls already relinquished. If the people of the Tennessee Valley and

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of March 12, 1959
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HIGHLIGHTS: House passed Hawaiian statehood bill. Sen. Humphrey inserted Joseph Alsop's letter criticizing Secretary's farm policies. Sen. Humphrey and Rep. Coad introduced and Sen. Humphrey discussed turkey marketing bills. Rep. McGinley criticized USDA industrial uses research program. Rep. Poage criticized USDA barter regulations.

SENATE

1. FARM PROGRAM. Sen. Humphrey inserted a letter to the editor by Joseph Alsop, "Mr. Alsop's Rejoinder to Mr. Benson," criticizing the Secretary's farm policies and contending that Congress had enacted most of the legislation the Secretary had requested to deal with the farm situation. pp. 3560-1
2. FOOD RADIATION. Sen. Church expressed his concern over increasing radioactivity in foods, urged an international atomic agreement "to halt this pollution of the atmosphere," and inserted two articles on the matter. pp. 3544-5
3. UNEMPLOYMENT. Sens. Byrd, W. Va., Randolph, and others discussed the unemployment situation and urged the enactment of area redevelopment legislation to help alleviate this situation. pp. 3569-74
Sens. Kennedy and Wiley expressed concern over the unemployment situation and urged the enactment of legislation to extend the temporary unemployment compensation program. pp. 3551-4, 3556-7

4. ELECTRIFICATION. Sen. Neuberger expressed his support for proposed legislation to amend the Bonneville Project Act so as to provide corporation-type management for Federal power operation in the Columbia River Basin, and inserted an editorial discussing the proposal. pp. 3543-4
5. FOREIGN TRADE. Sens. Bridges and Dirksen criticized the importation of Russian-made laboratory equipment for use in U. S. schools and colleges, and Sen. Bridges inserted two articles discussing this situation. pp. 3536-8
6. FORESTRY. Received a N. Mex. Legislature resolution opposing enactment of legislation to establish a national wilderness preservation system. pp. 3519-20
7. PRICE SUPPORTS, GRAINS. Received a N. Mex. Legislature resolution urging "the Secretary of Agriculture to correct administratively the discrimination against the high plains area of the United States with respect to the nominal price supports applied to agricultural production of grain sorghums in relation to preference given the midwestern area in the relatively high price supports applied to agricultural production of corn." p. 3520
8. NOMINATIONS. Confirmed the nomination of Karl Brandt to be a member of the Council of Economic Advisers. p. 3576
9. ADJOURNED until Mon., Mar. 16. p. 3576

HOUSE

10. HAWAIIAN STATEHOOD. Passed, 323 to 89, without amendment S. 50, to provide Statehood for Hawaii. Rejected an amendment to extend the jurisdiction of Hawaii to other Pacific Islands. H. R. 4221, a similar bill, was laid on the table. This bill will be sent to the President. pp. 3578-3612
11. DRAFT EXTENSION. Concurred in Senate amendments to H. R. 2260, to extend until July 1, 1963, the induction provisions of the Universal Military Training Act. The Senate amendments continued special pay for physicians, dentists, and veterinarians entering the service after July 1, 1959. This bill will be sent to the President. p. 3577
12. MILK. Rep. Quie criticized the Maryland-Virginia Milk Producers Association for asking Maryland "to further erect trade barriers in (the) State against the free flow of milk throughout the Nation" and urged enactment of a National Sanitation Standards Act for milk. p. 3578.
Rep. Hoeven inserted an announcement from Secretary Benson stating that current dollars-and-cents support prices for manufacturing milk and butterfat will be continued through the 1959-60 marketing year which begins on April 1. p. 3622
Rep. Quie commended the Secretary's announcement maintaining the present price support on milk. p. 3647
13. AREA REDEVELOPMENT. Rep. Lane urged enactment of area redevelopment legislation pp. 3627-8
14. FOREIGN AFFAIRS. Rep. Porter inserted figures on foreign aid to Spain since 1953, including aid under Public Law 480. pp. 3623-44
15. ELECTRIFICATION. Rep. Alger criticized TVA's fertilizer activities as being competition with private business. pp. 3644-5

House of Representatives

THURSDAY, MARCH 12, 1959

The House met at 11 o'clock a.m.

Rev. Alan J. Davis, North Royalton Methodist Church, North Royalton, Ohio, offered the following prayer:

Eternal God, Father of us all, to whom with confidence we turn for guidance and for strength, we thank Thee now for the countless blessings Thou hast bestowed upon us. Grant, O God, that we be not wasteful of them.

May we waste not the precious days Thou hast given us. Help us to do this day what needs most to be done.

May we in our deliberations waste not words. Enable us to use the gift of speech with truth and compassion.

May we in our work waste not the moneys entrusted to our care. Guide us with wisdom and justice in their allocation.

And may we waste not the opportunities for leadership and service with which Thou hast honored us. May we have the moral courage to ever defend and work for that which is most pleasing to Thee.

Dear God, hear us as we pray, and be with us in our assemblies, for the sake of our Lord Jesus Christ. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2260. An act to extend until July 1, 1963, the induction provision of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 50. An act to provide for the admission of the State of Hawaii into the Union.

EXTENDING UNIVERSAL MILITARY TRAINING ACT

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 2260, an act to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents As-

sistance Act of 1950, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 10, insert:

"Sec. 5. Section 203 of the Career Compensation Act of 1949, as amended, is amended by striking out 'July 1, 1959' wherever such date appears therein and inserting 'July 1, 1963' in lieu thereof."

Amend the title so as to read: "An act to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, I wish the chairman would just explain what this amendment does.

Mr. VINSON. Mr. Speaker, the Senate amended the bill by adding to it a legislative proposal by the Department of Defense that continues eligibility for special pay for physicians, dentists, and veterinarians entering on active duty after July 1, 1959.

In an attempt to procure more physicians and dentists, and to make military medical compensation more competitive with civilian incomes by persons with similar experience, there has been in effect for several years a system of special pay for physicians, dentists, and veterinarians. The amount of this special pay is graduated in accordance with length of service. Medical and dental officers with less than 2 years of active duty are eligible for special pay of \$100 a month. Those with more than 2, but less than 6 years of service, are eligible for \$150. Those with more than 6, but less than 10 years of such service are eligible for \$200 a month. Those with more than 10 years may receive \$250 a month. Veterinarians are eligible for \$100 a month in special pay, regardless of length of service.

Physicians, dentists, and veterinarians already on active duty, or entering on active duty before July 1, 1959, would continue to receive this special pay, even if this amendment were not adopted. The amendment permits officers in these categories who enter on active duty between July 1, 1959, and July 1, 1963, to be eligible for these special payments in the same manner and amount that officers already on active duty are now receiving.

Mr. ARENDS. Mr. Speaker, I heartily am in accord with that, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order in connection with the Hawaiian statehood bill to consider the Senate bill in lieu of the bill H.R. 4221 and under the same terms and conditions of the special rule adopted yesterday in relation to the Hawaiian statehood bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. PILLION. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

JOINT MEETING ON WEDNESDAY, MARCH 18, 1959, TO RECEIVE THE PRESIDENT OF IRELAND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, March 18, 1959, for the Speaker to declare a recess for the purpose of receiving in joint meeting the President of Ireland.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CORRECTION OF ROLLCALL

Mr. GRAY. Mr. Speaker, rollcall No. 9 on yesterday shows me as not voting. I was present and voted "yea." I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO SIT DURING GENERAL DEBATE

Mr. ANFUSO. Mr. Speaker, I ask unanimous consent that the Committee on Science and Astronautics may be permitted to sit during general debate on the bill H.R. 4221.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. QUIE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. If it does not exceed 300 words. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

TRADE BARRIERS AGAINST FREE FLOW OF MILK

(Mr. QUIE was granted permission to extend his remarks at this point in the RECORD.)

Mr. QUIE. Mr. Speaker, news that the Maryland-Virginia Milk Producers Association is asking the Governor of Maryland to further erect trade barriers in his State against the free flow of milk from throughout the Nation is fresh evidence of the need of a National Sanitation Standards Act for milk.

For a long time, an effective blockade has been in force in the District of Columbia under the guise of arbitrary sanitation inspections. This action by the association shows that it wants to use every means at hand to further prevent distribution of milk which can qualify under any reasonable health inspection.

Many times in the past, Mr. Speaker, I have urged passage of the National Sanitation Standards Act—but this action by the association only reinforces the argument.

Passage of this act would put the distribution of milk on a fair basis—and would insure that the only barrier to entry of outside milk would be on an economic basis.

Considering present Washington, D.C. milk prices, it is evident that Minnesota milk can favorably compete on this basis. The class 1 price for milk delivered to plants in the Twin Cities of Minnesota is \$3.73 per hundred pounds in March. Any increased handling costs in preparing the milk for transportation to the District of Columbia would not be greater than 10 cents per hundred pounds. This fact was established conclusively by researchers at the University of Minnesota. Transportation costs to the District of Columbia would be \$1.80 per hundred pounds. This means that Minnesota milk can be delivered to Washington, D.C. from a Twin City Milk Producers Association plant for \$5.63 per hundred or 99 cents less than the present Washington price, a saving of better than 2 cents a quart to the consumer.

The need for a National Sanitation Standards Act was never more evident now that the Virginia-Maryland Milk Producers Association has decided on this step.

HAWAII STATEHOOD

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the further consideration of the bill (H.R. 4221) with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair will state that when the Committee rose on yesterday the gentleman from New York [Mr. O'BRIEN] had 1 hour and 44 minutes remaining, the gentleman from Washington [Mr. WESTLAND] 1 hour and 47 minutes.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I am sorry I find myself somewhat in disagreement not only with my own committee chairman but with others on the committee reporting this bill. May I say in passing that we have a very fine chairman, and I would like to commend the gentleman from New York [Mr. O'BRIEN] for the splendid job he is doing.

Mr. Chairman, I am realistic enough to realize that certain facts of life are very evident here and that this bill is going to pass.

I have opposed Hawaii statehood bills ever since I have been in Congress for a number of reasons, and I might state that at this time sitting in this Congress today are 165 Members who at one time or another have opposed statehood for Hawaii. The vote on yesterday indicated that not that many are opposed to statehood today. I merely say to those gentlemen either that they were wrong a few years ago or they are wrong now.

I take this time, Mr. Chairman, to direct a question or two to the gentleman from Colorado in order to satisfy the mind of the gentleman from Florida who has many misgivings about this bill. I direct the following question to the gentleman from Colorado: One of the things that is very disturbing to me in this proposed bill for statehood for Hawaii is the fact that the bill itself continues what I think has been a very inefficient organization or committee in the Hawaiian Islands, namely the Hawaiian Homes Commission. If the gentleman would enlighten me on that particular thing I would appreciate it. It is my understanding that the present bill under consideration will extend the life of the Hawaiian Homes Commission for a period at least of 99 years, is that correct?

Mr. ASPINALL. I will try to answer the gentleman's question as logically and as directly as I possibly can. I know the gentleman's feeling about this particular question and I have some sympathy with his position. On the other hand, I do not consider that it is a problem which we should resolve in deciding on the question of statehood.

Let me state that I cannot find myself in agreement with his statement in reference to the longevity of the Hawaiian Homes Commission which my colleague has just mentioned. It might be 99 years, it might be longer than 99 years. But it is provided in the act which created the Hawaiian Homes Commission

that loans granted shall be for a term of 99 years.

The purpose back of this originally was, of course, to give to the Hawaiian people of 50 percent or more Hawaiian blood the right to ownership and use of some of the land that was taken away from them when the treaty was originally made. It was taken away from them even though they had no ownership individually in the lands. The land was held by the Crown and the Crown having held the land at the time of Hawaii's inclusion into the United States it then became Territorial land. When it came into the Union it was then the responsibility of the Federal Government and the Territorial Government to administer the area.

What was attempted with the creation of the Commission was to provide for individual ownership of homes rather than the commercial approach which we have provided for the Indian tribes of the United States.

Mr. HALEY. Of course, the gentleman is well aware of the fact that the census of native Hawaiians in 1940 showed there were only 14,375 or 3.4 percent native Hawaiians.

Let me ask the gentleman this question: Are we here going to create another situation similar to the situation we have created in regard to the American Indian, and what is going to be the responsibility of the people of America and this Congress to those people?

Mr. ASPINALL. It is my opinion that we are not creating a similar condition to that which has brought about our Indian tribal communal ownership. It is my opinion also that as the years come and go, whether for 10, 50, or 100 years, this number which is slowly dwindling will become so negligible that this land will no longer be used for the purposes for which it is now administered by the Hawaiian Home Commission. When that time comes, then it will be up to the government of the State of Hawaii, providing the bill passes, with the consent of the Congress of the United States, to make such disposition of this land as is in the best interest of the people of Hawaii.

Mr. HALEY. Of course, the gentleman is well aware of the fact that under the original organic act or the original act, approximately 400,000 acres of land was set aside to be used for the establishment of the people of Hawaii on their native land. Now, will it be the responsibility of the State of Hawaii to continue to hold that land make it available for the settlement of the people of Hawaii?

Mr. ASPINALL. If I understand the gentleman correctly, it will be the authority and the obligation of the State of Hawaii to hold this land for the people of Hawaii.

Mr. HALEY. I thank the gentleman.

Mr. ASPINALL. May I make one more statement, if my colleague will yield?

Mr. HALEY. I yield.

Mr. ASPINALL. In a measure I agree with his statement about the discharge of their duties by the members of the Hawaiian Home Commission. On the other hand, the law provides for a lease-

hold interest. It has been impossible for the Hawaiian people who are entitled to benefits under the provisions of the act to borrow money from any public agency, and that is one reason why the project has not worked any better than it has. It is expected that when the new State comes into existence they will make available funds which the Hawaiian people can obtain on long-term loans so that they can take advantage of the provisions of the Hawaiian Home Commission statute.

Mr. HALEY. Will the gentleman be kind enough to answer one additional question?

Mr. ASPINALL. I will do my best.

Mr. HALEY. I am somewhat disturbed about the tremendous powers that we are turning over to the executive department in Hawaii. As the gentleman is well aware, there are only two elected executive officers, namely, the Governor and the Lieutenant Governor. Of course, the Governor can then appoint members to carry out the various functions of government in similar positions that, I might say, obtain in his own State as cabinet officers and, as I have in my State of Florida. We have cabinet officers to carry out those responsibilities. In this particular instance you are going to allow the Governor of Hawaii to nominate these men who will hold their responsible positions and positions of great power, with the concurrence, of course, of the senate, which in this particular case would be approximately 14 men. Now, does not the gentleman think, first, that that is a tremendous amount of power and, second, will it be possible under the present bill, if the people of Hawaii later find it desirable, to change their constitution to provide for constitutional officers to carry out these functions?

Mr. ASPINALL. Let me advise my colleagues of this committee to this effect: my colleague, the gentleman from Florida, has taken his chairman into his confidence and has asked him these questions before coming on the floor. And, I am most appreciative of that approach. First, I also share somewhat his views on this new departure from ordinary control of executive and administrative departments of Government. On the other hand, as I answered our colleague, the gentleman from Iowa [Mr. GROSS], relative to his question about 18-year olds voting, I suggest that this is an obligation and a responsibility of the State. Now, may I say, as I also advised my colleague from Florida, that I opposed in Colorado the question of the cabinet form of government, and we only have it partially at the present time. I am not so sure that it is so good. But, I think it is a State responsibility and a decision for the citizens of a State. As this bill is drawn, if the new State of Hawaii through its legislative processes desires to change then to a form of government which is perhaps more adaptable to our wishes, then it has the power under this bill to do so.

Mr. HALEY. I thank the gentleman from Colorado.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. HALEY. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I want to commend the gentleman from Florida for his forthright raising of these questions. As a member of the House Interior Committee, he has always been opposed to statehood for both Alaska and Hawaii. But in his approach he has always been objective; and while we may disagree on the outcome, the approach of the gentleman from Florida [Mr. HALEY] is one that everyone must respect and admire. I commend him for raising these questions with regard to the bill which is before us at the present time.

Mr. HALEY. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union, had come to no resolution thereon.

Mr. MCCORMACK. Mr. Speaker, I renew my unanimous-consent request, heretofore made, that it may be in order for the House to consider the bill S. 50, in lieu of the bill H.R. 4221, under the terms and provisions of House Resolution 205 adopted yesterday by the House in relation to the Hawaiian statehood bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. PILLION. Mr. Speaker, I do not renew my previous objection.

There was no objection.

TREASURY-POST OFFICE APPROPRIATION BILL, FISCAL YEAR 1960

Mr. GARY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Wednesday, March 18, to file its report on the Treasury-Post Office appropriation bill for the fiscal year 1960, and that it may be taken up on the floor of the House on Thursday, March 19.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. HALLECK. Mr. Speaker, reserving the right to object—and I shall not object—I understand that this matter has been cleared with the membership of the Committee on Appropriations on our side of the aisle.

Mr. GARY. It has been cleared with everybody with whom I know it should be cleared; the gentleman from New York [Mr. TABER], the gentleman from New Jersey [Mr. CANFIELD], and also the leadership on this side of the aisle.

Mr. HALLECK. Mr. Speaker, I reserve all points of order on the bill, and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

HAWAII STATEHOOD

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 50) to provide for the admission of the State of Hawaii into the Union, in lieu of the bill H.R. 4221.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 50, with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. ANDERSEN].

(Mr. ANDERSEN of Minnesota asked and was given permission to revise and extend his remarks.)

Mr. ANDERSEN of Minnesota. Mr. Chairman, it is gratifying to note that support for Hawaiian statehood here today is coming from both sides of the aisle. That is as it should be. The question of admitting a new State to the Union should not be a political one. Nevertheless, I should not want it to go unnoticed that the first Hawaiian statehood bill introduced in this body was authored in 1919, during the 65th Congress, by the then Republican Delegate from the Territory, Prince Jonah Kuhio Kalaniana'ole, who served with distinction in the House for over 20 years.

As most of us know, this body has approved Hawaiian statehood bills on three previous occasions. The first time was by the Republican 80th Congress by a vote of 196 to 133. The next time was by the Democratic 81st Congress by a vote of 262 to 110. The last time was by the Republican 83d Congress by a vote of 274 to 138. If the Members on our side of the aisle had had our way, and the bill had been brought up for consideration last summer after Alaska was admitted, I am sure Hawaii would have been admitted to the Union at that time.

Mr. Chairman, those who have opposed Hawaiian statehood in the past now have exhausted all their arguments. After countless hearings and debates, all their arguments have been tried and found wanting. Last year we disposed of the point of noncontiguity by admitting Alaska to the Union. The matter of Hawaii's distance from the mainland has been debated and found to be pointless with the advent of the jet age. The loyalty of the people of Hawaii has been questioned time and time again but has been completely disposed of by reams of evidence testifying to the fact that the people of Hawaii are no less loyal to the United States than are those anywhere here on the mainland.

The argument can no longer be advanced that the economy of Hawaii cannot support statehood. Hawaii has a sound financial base. Her dynamic development continues to attract industry. Sugar and pineapples, the foundation of

Hawaii's economy, annually are produced in increasing quantities and values.

In 1957 Hawaii's 28 independent sugar plantations produced 1,085,000 tons of raw sugar on their 220,000 acres with a crop value of \$148 million.

Hawaii's 9 pineapple canneries processed 30,787,000 cases of fruit and juice grown on 77,000 acres of 13 plantations. The total value of the crop was \$117 million.

A notable expansion and diversification of industry is taking place. The most dramatic of recent developments was the selection of a site several miles from Honolulu for a \$40 million refinery by the Standard Oil Co. of California. Construction was begun in October 1958 for this first oil refinery in Hawaii.

The islands' first steel mill, for production of reinforcing bars for the flourishing construction business, will be completed and in operation early this year.

For the fiscal year ended June 30, 1958, the Territory paid a record high of \$166,306,000 in Federal taxes, more than any of 10 States, including Alaska.

Hawaii has paid more than \$2,300 million in Federal taxes since becoming a Territory.

Per capita personal income in Hawaii in 1957 was \$1,821, putting Hawaii in 25th place nationally, or ahead of 24 States.

Tourism is Hawaii's third basic industry, and is challenging sugar and pineapples in dollar value. Every year sees new highs in the number of visitors, which reached a record figure of 168,000 in 1957. In dollar volume this has meant a jump from \$6 million in 1946 to \$77 million in 1957, or an increase of 1,183 percent.

A projection by the Hawaii Visitors Bureau indicates Hawaii will be host to 280,000 tourists by 1965.

Mr. Chairman, by every yardstick Hawaii has long since passed the test of qualifying for statehood. And let there be no question that the people of Hawaii want statehood.

In the National Archives here in Washington, not far from the Declaration of Independence and the Constitution, there is a dramatic testimonial to the statehood hopes of the citizens of Hawaii.

It is the statehood honor roll, a historic petition to Congress from Hawaii's citizens, asking for immediate statehood. It was delivered to Vice President Nixon as President of the Senate, on February 26, 1954, after 116,000 signatures had been affixed in Hawaii in a few days.

The giant roll of newsprint containing the signatures is 6 feet wide, about a mile long, and is the second largest petition received in the history of the United States Congress.

Perhaps better than more formal resolutions and bills, it transmits the emotion-filled desire of Hawaii's citizens to be granted the statehood status they have so demonstrably earned.

For over half a century, the residents of the Territory have lived as Americans, worked as Americans, fought as Americans.

Only statehood can raise Hawaii's people to the dignity of Americans, first

class, with the accompanying rights and privileges.

That is why Hawaii's people want statehood—now.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MACK].

(Mr. MACK of Washington asked and was given permission to revise and extend his remarks.)

Mr. MACK of Washington. Mr. Chairman, Hawaii has been preparing for statehood for the past 50 years and the results are available for all to study. In late years more than a dozen congressional committees have investigated this proposition.

Many Members of Congress have studied the Hawaii situation at close range, and from over 100 days of congressional hearings we have nearly 5,000 pages of testimony on the subject. They have established many reasons why Hawaii should be admitted to statehood.

The reasons why Hawaii should be admitted into the Union as its 50th State, to me, are clear, convincing, and compelling.

The Congress, during many statehood debates, has established a list of traditional qualifications which a Territory should or ought to have to be considered eligible for statehood.

Among these qualifications are, first, the Territory should possess adequate area; second, it should have sufficient population; third, its economic situation should be such as to permit its people to assume and to carry their proportionate share of the Federal Government's financial responsibilities; fourth, the people of the Territory must have manifested a sincere desire for statehood; and, fifth, finally and most important, the people of the Territory must believe in the American republican form of government and be qualified by education and experience for self-government according to American traditions.

All of these five qualifications, I am convinced, the people of Hawaii now abundantly possess.

In area, the Territory of Hawaii covers more than 6,600 square miles of land. Hawaii, therefore, is larger in area than Connecticut, Rhode Island, or Delaware. Since these three now are States, an argument cannot effectively be made that Hawaii is too small in area for statehood.

In population, Hawaii now has more than half a million inhabitants. This is more people than any Territory, except Oklahoma, in all the history of the country possessed when it was admitted to statehood. Furthermore, Hawaii's present population is larger than that now possessed by six of our States. Surely, Hawaii cannot be denied statehood on the ground she has too few people.

Is the economy of Hawaii such as to permit her to assume her full share of support of the Nation's financial responsibilities? As to that qualification we also must answer in the affirmative. During recent years the people of Hawaii have paid more than \$90 million a year in Federal income taxes. There are many present States which do not pay

that much. To deny statehood to a people who pay so much toward the support of the Federal Government is to practice what our forefathers denounced, "taxation without representation."

Then, there is the question of whether the half million people of Hawaii want statehood. They have said they do again, again, and again. In 1940, in a plebiscite held on the issue of statehood, the people of the Territory voted 2 to 1 for statehood. The Hawaiian Territorial Legislature, composed of duly elected representatives of the Hawaiian people, have petitioned the Congress in the past half century almost a score of times for statehood. These representatives or similarly minded ones, have been elected and re-elected time after time indicating they were, in petitioning statehood, expressing the will of the people.

And lastly, are the people of Hawaii qualified by training and experience for statehood? Few can doubt that they are. Their educational system is of the best. Their rate of literacy is high. For more than 50 years they have lived under and been faithful to an American system of representative form of government.

When Hawaii was admitted to the status of a Territory, the United States made her people an implied promise that, someday, when qualified, Hawaii would be admitted to statehood. The conventions of both political parties in their platforms declared that they favored statehood. We, of both parties, should keep those promises.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. HORAN].

(Mr. HORAN asked and was given permission to revise and extend his remarks.)

Mr. HORAN. Mr. Chairman, in voting to admit Hawaii to statehood, as I am confident we shall do, we are admitting to equal partnership a State which is exceptionally well qualified to share the rights and responsibilities of our Nation with the older States. In fact, I believe that Hawaii's case for statehood is stronger than that of almost any of the other 36 States which have previously been admitted to the Union, since the Original Thirteen.

First, Hawaii has served an apprenticeship as an organized, incorporated Territory for 59 years, since passage of the Organic Act in 1900. Most of the present States served similar apprenticeships of only 5, 10, or 20 years.

Hawaii's population today is well over 600,000, more than the population of any of the 36 States previously admitted since the founding of the Union, with the single exception of Oklahoma. Hawaii's population, in fact, is already larger than that of 6 of the present States, and is still growing.

Hawaii's economy is strong and progressive. Some people speak of statehood as if it were a question whether a new State could help in bearing the financial burdens of the Nation, but discussion along those lines is completely out of order when we are speaking of Hawaii, because the people of Hawaii already pay all the same Federal taxes

at exactly the same rates as the rest of us on the continent do. Of course Hawaii is able to help share in those burdens; she is already doing that as a Territory. The Federal tax revenues from Hawaii are already very substantial—\$166 million in 1958—greater than the Federal tax receipts collected from 10 of the present States.

In fact, statehood will make little difference to Hawaii financially, or to the rest of us either. Hawaii has never asked for nor received special favors in a financial way. The only expenses in Hawaii now paid by the Federal Government which the State will have to assume are the salaries of the Governor, his administrative assistant, the government secretary, and the members of the legislature, and part of the salaries of the territorial judiciary. Hawaii also of course receives most of the general Federal grants-in-aid, but on the same basis as the States, without special consideration or favoritism. The special Federal costs that I mentioned—the salaries of the Governor, legislators, and judges—amount to less than one-quarter of a million dollars per year on the average. These additional costs the taxpayers of Hawaii will have to pay, but they can do so easily since the current budgetary surplus of the Territory is many times that figure.

The achievement of statehood is not a matter of economic or financial gain for Hawaii. To them, it is a matter of equal political rights, of being accepted as of equal status with the rest of us. Although they have not suffered under territorial status, they want the right to govern themselves, to select their own Governor and other executive officials, to determine fully their own policies, and to participate with the rest of us in the formation of national policies. They have shown that they are well fitted to exercise those rights, and they have earned the right to exercise them.

Mr. Chairman, I am proud of the opportunity which has been given me to participate in this great event, to cast my vote for this historic action. I am gratified that my vote will be one of those which finally brings to completion a historic process which has already been too long delayed. I welcome Hawaii as a sister State with my own. I welcome her people—of various races and creeds—to equality of rights with myself because the diversity of her racial backgrounds adds variety to our citizenship. I do not think we need apologize for the large percentage of persons of Polynesian and Oriental background who make up Hawaii's population. There is also a large percentage of persons whose ancestry and race go back to the continental United States, and they have succeeded in extending American ideals and culture into the Pacific, and in indoctrinating the orientals and others with our ideals and our outlook.

I look forward to celebrating the final admission of Hawaii as our 50th State before the end of this year. The admission of Hawaii will make our Union complete, and will announce to the world that we practice what we preach.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the

gentleman from New Jersey [Mr. CANFIELD].

(Mr. CANFIELD asked and was given permission to revise and extend his remarks.)

Mr. CANFIELD. Mr. Chairman, on this day I shall cast my fourth vote for Hawaiian statehood. I supported the statehood bills passed by our body in 1947, 1950, and 1953.

It now appears that the hope expressed by President Eisenhower in his state of the Union message last January will be realized. The President then said:

May I voice the hope that before my term of office is ended I shall have the opportunity and the great satisfaction of seeing the 50th star in our national flag.

As long as 1,000 years ago, Polynesians from the South Pacific were attracted to the volcanic mountain tops known as the Hawaiian Islands. Over the years traders, adventurers, missionaries, and settlers from the east and west made their homes in Hawaii in the melting-pot tradition so dear to Americans. Nearly 120 years ago the kingdom adopted its first constitution, one modeled along American lines. Since 1900 the Hawaiian Islands have been a strategic territory. Can we ever forget Pearl Harbor? Or the valor of Hawaii's Japanese-Americans on battlefields? The saga of self-sacrifice which the Nisei wrote in Europe and Korea has been matched, perhaps, but not exceeded.

It is abundantly evident that Hawaii has met all the traditional requirements for admission to statehood. Her people have demonstrated an abiding faith in the principles of democracy, and her electorate has made clear its earnest desire for statehood. Hawaiian people and resources alike are recognized to be more than capable of supporting a State government.

I acknowledge that Hawaii would enjoy disproportionate representation in the U.S. Senate. But there is precedent here. The Connecticut compromise, whereby representation in the Senate was to be equal for all States while House representation was to be based on population, was a practical solution to a very real problem. Hawaii's lone voice in the House would be all but muted when competing with, say, the 43 distinguished Representatives from the sovereign State of New York.

I am not among those who are horrified by the prospective transfer of a portion of each State's rightful voting power in the Senate to the State of Hawaii. Perhaps I should be if the people of these United States took more seriously their own voting obligations. Two-fifths of the eligible citizens in this country never bother to vote. And this figure, representing the national ratio, is very high compared to the percentages in some of our States. In one State, in the presidential election of 1956, only 22.1 percent of the potential voters condescended to show up at the polls. I doubt rather seriously that the people of this State would be concerned over any transfer of voting power.

And it is fairly obvious that mere size has never guaranteed greatness. The long roll of distinguished Senators in our

history contains, I suggest, as many names from the smaller States as from the larger.

Hawaii is too small? It has more land area than Rhode Island, Delaware, or Connecticut, and more people than Vermont, Wyoming, Delaware, or Nevada. It would make as much sense to say that these States should be abolished.

A frequently mentioned fear is that Hawaii the State would become a Communist outpost. Only last month the House Interior and Insular Affairs Committee concluded that—

Statehood will provide a suitable and effective political structure through which the people of Hawaii can and will hasten the destruction of the last vestiges of Communist influence.

Mr. Chairman, by making Alaska our 49th State and now following through with Hawaii our 50th State, bringing to their people the full privileges of citizenship, we are engaging in an act which can only have wholesome repercussions throughout the world, especially in those lands where real freedom is still only a hope far from reality.

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. 'Mr. Chairman, it is not my intention to try to convince anybody to vote for or against this particular bill, because in all fairness, in all honesty, I cannot say that I know exactly how to vote on this particular bill. It is a unique situation indeed. For the first time in our history we are now faced with the possibility, and undoubtedly it will pass, of adding some islands and making them a State of the United States of America.

I wish I had a crystal ball so I could look into it and see what would happen a year, 5 years, or 10 years from now if Hawaii is made a State, or what would happen if it is not made a State. I voted against statehood for Alaska. As of now, I do not know whether I was correct in voting against Alaska. Only time will tell, but certainly as time goes on, if we have to subsidize Alaska and give them special benefits that the other States in the United States do not have, then my vote was right. If they go ahead and take their place as the 49th State equal with the other 48 States, then my vote was wrong.

When we talk about H.R. 3, H.R. 10, and such measures as that, I have little difficulty, because I am for those measures; but in this one I find myself in a little bit of confusion. One of the reasons happens to be that I, too, went to Honolulu this year along with the committee, not as a member of the committee but strictly for pleasure. I talked to a lot of people over there and did not find any tremendous desire among the people to become a State. Some thought they should, some thought they should not, some thought they should wait. But I did not find any overwhelming opinion among all the people that they should become the 50th State.

A number of years ago I was a special agent of the FBI and, along with other agents, was selected to conduct a special investigation to determine wheth-

er or not Harry Bridges was a member of the Communist Party. Many of us spent several months in determining that fact, and found out that he actually had been a member of the Communist Party. Another agent and myself were the ones who obtained the statement from the individual who took Harry Bridges into the Communist Party and gave him his card and attended meetings with him. Subsequent thereto, hearings were held, as you know, and Bridges was ordered deported. But later changes were made. I well realize as a matter of history, should he go back to his associations with Hall and follow the same principles we know he had some years ago, we may be faced with some problems. I hope he does not do that if we make Hawaii a State.

I rather anticipate this bill will be passed and Hawaii will be made a State. The 86th Congress will probably be long remembered for this action rather than any other action that is taken in this session. So I say that in casting our vote, I hope that I for one will vote so that the people of Hawaii will best be helped and the people of the United States will best be helped in this historic vote here today.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ROGERS].

Mr. Chairman, I am not laboring under any delusions. I realize this is nothing more than a delaying action, and I want you to know I am not doing it for the purpose of delaying these proceedings. Of course, we could have objected to the substitution of the Senate bill for the House bill. But, we are doing this for the purpose of making a record on an issue which I think will be called to the attention of the Members of the Congress and to the attention of the people of the United States within the confines of the 48 States—mind you, I did not say 49 States, for a number of years not today. Now, as you know, last year we took in Alaska. I opposed that as did some other Members of the Committee on Interior and Insular Affairs. When we convened this time, as we had anticipated, Hawaii was waiting on the line. No hearings were held before the subcommittee. We went right into the full committee and started hearings in order to speed the matter up. Actually, it was because the ice had been broken in a new political era or area—whichever you want to call it—and we moved forward to bring Hawaii in. What will be up next February or next January or the following January no one knows. But, I think in all fairness to the Members of the Congress who are moving forward in that direction, they ought to recognize the fact that we should anticipate that other territories will be coming in in the next few years. Where we are going to stop, I do not know. It must be somewhere.

But, Mr. Chairman, I want to talk to you about just a few of the things that I think are important as we move into this new so-called political area. First, I want to say this. There have been attempts all during the hearings and in the previous discussions and debate on

statehood bills to bring personalities into it. I have been in Congress since 1951 and we have had the Hawaiian bill and the Alaskan bill up so many times that I cannot remember the exact number. Much has been said in an effort to bring personalities and inject personalities and hatred into this thing, and I want to make the record clear on that right now that so far as I am concerned and the others with whom I have been associated in opposition to this, bill that we have had no ill feeling toward anyone in Alaska or Hawaii. As a matter of fact, if you will permit me to say it now, I think the Alaskan people probably can claim the right to a pioneer status that is probably unequalled in the history of the world. They are fine people and certainly none of us have anything against them, and I think the Hawaiian people and all the people who make up the citizenry of the Hawaiian Islands so far as I know have been wonderful people. They have never mistreated me and I have looked upon them as fine human beings as I do upon all other people, and I do not think we ought to get this debate off on anything like personalities or hatred or any such thing.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mrs. BLITCH. Would the gentleman be inclined to agree with the gentleman from Georgia that the real danger in this legislation is that really we are not sowing the seeds, but rather we are laying the foundation for a philosophy that is entirely foreign to the original concept of these United States—a philosophy that really embodies that concept of one worldism that was promulgated not in recent years, but as we have been told and has been pointed out to us, was advocated by certain individuals as long ago as fifty or sixty or one hundred years. Does that not express the gentleman's objections to this bill?

Mr. ROGERS of Texas. May I say to the gentleman, I think if the concept that is being followed in bringing in these Territories and these far-flung lands is carried out to its logical conclusion, I do not see how anyone can successfully argue against a man who accuses us of indulging in one worldism. I think that is exactly right.

Mrs. BLITCH. I thank the gentleman. I wish to state, since he has given me the opportunity to do so, that that is my greatest objection to the granting of statehood to Hawaii.

Mr. ROGERS of Texas. I thank the gentleman from Georgia.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to say at this point that it has been my pleasure to serve with the gentleman from Texas on the Interior Committee for as long as he has been in Congress. While he has been an avid opponent of statehood for Hawaii no one who has been a member of that committee or a Member of Congress during that time could ever accuse the gentleman of not being forthright in his position, and there has never

been any hatred or enmity motivating him. The only reason he opposes it is because of his philosophy of government. Much as I disagree with him, I can do nothing but respect and admire the gentleman for maintaining his position.

Mr. ROGERS of Texas. I thank the gentleman. I appreciate having served with him. There are so many nice things I can say about him, that my limited time will not permit me to begin. I will tell him personally later on.

I want to speak for a moment on this question of contiguity. Many people, who criticize the opposition which is based on the question of contiguity, will admit they do not know what the word really means when applied to these circumstances; but the matter of contiguity without any question is seriously involved in this thing; it is the serious objection that I think ought to be weighed very carefully by everyone who is interested in doing what is best for this Government. I do not challenge anyone in his sincere belief as to what philosophy of government should be pursued, but I do think that you ought to use history and precedent to reach a conclusion, and know what certain actions might create.

A small committee went to Hawaii last year to report further on this matter. They went into the question of contiguity. As a matter of fact so did the entire committee, and the committee report deals with the question of contiguity, but they base the entire concept of contiguity on the question of travel, how fast and how far, how long it would take to get from New York or Washington to Honolulu. That, however, is not the point at all.

The point is simply this, that we have devoted ourselves, since the Thirteen Original States, to the preservation of the Union, a Union of the States that make up the United States. What did we do? We moved out and took in Alaska, and prior to that there had not been any State attached to the United States, the Union that made up the United States, that was not attached by land over which we had exclusive jurisdiction. When we admitted Alaska into this Union of States we broke that precedent. We not only took in a Territory which was separated from the rest of the States by the high seas over which we have at most joint jurisdiction, or, one might say, sufferance to travel, but also we did this, we placed between us and that Territory in the words of the subcommittee that reported on this, in the case of Alaska, miles and miles of foreign territory, foreign territory, mind you, over which we have no jurisdiction whatever unless we get it by the will of the people of that sovereignty, by treaty, or by Executive agreement. But the fact of the matter is that if Canada, which is a friendly nation and we expect will always continue to be, but if the time should come when this Communist menace of which so much has been said—and I think a great deal of attention should be paid to it—and they should decide to attack the Hawaiian Islands economically and they said, "We will

strike your ports," and men like Harry Bridges, Jack Hall—names do not mean anything—issue the edict, "We will strike your ports and we will strike your ports in Alaska, too, we are going to attack you economically."

Well, we say: We will go through Alaska, we have a corridor, we can get there, we do not have to resort to an airlift.

So Canada says, Wait a minute, before you do that let us find out what is going to happen.

This same group of people that has this international union will say to Canada: If you permit the United States to use Canadian soil as a corridor to get to Alaska we will strike your ports, too.

What would be the reaction of Canada under those circumstances? It is something we do not know. I know that Canada would take a long and hard look at permitting this country to use their soil as a corridor in order to break a strike brought about by this international union if those facts were present. I can anticipate just such a situation arising, and it is not something that you have to reach up in the air to get.

This so-called international union, whether it be that union or some other union dominated by anyone, by one single edict can completely isolate Hawaii because Hawaii is wholly dependent on the sealanes, her economy rests upon what traffic she can maintain via the sea.

Not only that, but each one of those islands is separated by the high seas, the high seas over which we do not have exclusive jurisdiction, we do not claim exclusive jurisdiction, waters over which every other foreign nation in the world has the same identical right to travel as do we.

As I said a minute ago, those people who talk about transportation and travel and nearness by virtue of the fact we have jet planes have missed the entire point. The question is resolved to the issue of preservation of the Union. When you have 1 solid made up of 48 or 49 integral parts, or 50 integral parts represented by a flag that has 50 stars, and somebody comes along, because one of those parts is isolated, and takes one of those parts away from you, which is conceivable from experience in our own history, your solid dissolves. You either have the whole or you have not preserved the Union. I think that is the risk that the people of this country ought to think about when we move into this new political area. That is going to bring problem after problem up for consideration, not only of conflict as we have had between the State laws but it is going to bring about conflict in the application of our maritime laws, the interstate commerce laws and other matters we have never been confronted with before, in addition to conflict of State laws.

The committee asks, because they are separated from this country, does that mean they will never become a State? I have never said that and I do not say it now, but every time you pick up a daily newspaper or periodical you see headlines that this country, our philoso-

phy and our way of government, is now facing the greatest challenge it has ever faced in our history. The question is: "Can we safely embark at this time on uncharted political seas, heretofore untraveled by any country?"

If we admit Hawaii, why should not others be allowed to come in? Yes; they have said in answer to that argument, and I refer to the proponents of this legislation, that is not true at all because you have to meet certain requirements before you are eligible for statehood, and under the situation as it exists Hawaii is the last incorporated Territory, therefore it is a long way before we will have to recognize any other Territory or any other place that might want to make application for statehood.

Now, we asked the question in the hearings as to what the requirements might be for statehood, and here is what we were told. The three standards which are said to be traditional are these: First, that the inhabitants of the new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government. That was the Secretary of the Interior testifying; second, that a majority of the electorate desires statehood; and, third, that the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

Now, I asked the Secretary of the Interior at that time if actually the first two measures were not the ones that ought to be applied and the ones that would be applied, unless we were willing to apply a means test and to say to the people, in the language of the proponents, mind you, that if you do not have so much money, then you cannot come in. Now, that is what their arguments amounted to on that. Take Cuba, for instance, which we have been reading about so much lately, suppose they had a plebiscite and voted 4 to 1 to join this country and they adopted a constitution and said that they were firm believers in a democratic form of government and imbued with the ideals of democracy, they could even go so far as to say "We can trade with you and show you we are rich enough to be citizens." Now, what are you going to say to that? How can you say to them that "No, we are not going to take you in." Well, they will say, "You took in the Hawaiian Islands; they were a Territory. Why did you take them in?" "Because we did not want anybody to think we were for colonialism. That is why we took them in, but we do not want you."

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Colorado.

Mr. ASPINALL. Before I ask the question, I wish to state that the gentleman now in the well is one of the most valuable and able members on the Committee on Interior and Insular Affairs. This bill today is better because of the contribution which he has made in opposing certain sections which we have changed in order to meet some of his objections. We do disagree on funda-

mentals of the bill. The only question that I have to ask at this time of my colleague is this: It will be true as long as the United States of America remains an independent nation that we can, if both parties are willing, add to our jurisdiction new areas, just in the same way as we added the great State of Texas, coming from an independent status, and the great Territory of California from a conquered area, is that not right? That is what the gentleman from Colorado now speaking stated yesterday in his statement to the committee.

Mr. ROGERS of Texas. I think that is exactly right. The gentleman from Colorado, as you all know, is one of the greatest chairmen that the Committee on Interior and Insular Affairs ever had, and one of the most valuable Members of Congress, a man whose integrity has never been questioned. As he pointed out, we disagree basically on the philosophy that is represented by this piece of legislation. Now, back to the contiguity situation for just a minute. Some person says "What difference does it make whether they are attached, in the final analysis?" It makes this difference. Under international law sovereignties are separated by land masses and inland waters. That is the main difference when you get right down to the analysis. Now, if that is changed and we could go on and get exclusive jurisdiction in the Pacific Ocean to the Hawaiian Islands, maybe this problem could be answered. But we better take another look at this thing, and we ought to wait until that time before doing anything.

The CHAIRMAN. The time of the gentleman from Texas [Mr. Rogers] has again expired.

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Texas.

Mr. ROGERS of Texas. I thank the gentleman for his kindness.

Mr. Chairman, it was argued for a long time that unless statehood were granted to Hawaii we would have a situation whereby we would be making second-class citizens out of all the people of Hawaii. Nobody answered that, and it went along that way for a long time and finally someone expressed the thought that if they were second-class citizens out there, maybe the District of Columbia has some second-class citizens. That created a question, and as this thing moved along, they began to drop that—I do not want to say propaganda, but I will say that advertising—they dropped that because they saw that it did not really mean anything. They were not second-class citizens at all. They are just as fine people as there are anywhere, and because of the philosophy of government that we follow, they have many rights that we do not have in this country because they are a Territory, and I suppose we could say vice versa; but these rights are all pretty well balanced. The funny thing about it is that this same group of people at that same time were claiming that they were entitled to statehood because they had been promised statehood by somebody—I do not know who it was. Someone said that it was a gentleman from the other body

who had gotten over to Hawaii and promised them statehood. What the circumstances were that brought out that promise I do not know. We were never able to find out.

But let us assume that he did that and let us assume that somebody else did it, and so on, from time to time. And let us assume, as the platforms of both parties reflect, statehood was promised to Hawaii. What they forgot was this, that if such a promise was made, it was made to all of the islands that constituted the Hawaiian Archipelago when it was annexed to the United States.

What have the people of Hawaii done in this situation? According to their own standards they have created some second-class citizens, because they have taken the eight islands that they think might be economically sound to operate as a State, but they cut off the other islands in the Hawaiian Archipelago, I suppose because they thought it was not economically feasible, let us say, for those islands to be included in the operations of a State.

After all is said and done, that just does not make sense, to approach a problem in that manner. And some day, as was pointed out by the distinguished gentleman from Texas [Mr. POAGE], when he appeared before the Committee on Interior, we are going to be called upon to create a State of the Pacific, or a State of something out there, to take in a bunch of loose ends in these islands, if we continue the philosophy that we are pursuing at the present time with respect to taking in these other Territories. Whether or not that will be sound government, I do not know. But, as I said before, I think that what we ought to do is to weigh this situation fairly and squarely from the point of view of the type of government we have and what we are moving into so that in the future we can avoid these embarrassing situations that are bound to arise.

I have just been informed that I have only 1 minute of my time remaining, which is not sufficient time to treat communism properly. But in that minute, if you will bear with me, and I wish you would, I will try to do so.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 1 additional minute to the gentleman from Texas.

Mr. ROGERS of Texas. That will give me just about time, as was said on the floor one time by the distinguished father of one of our colleagues, to wish you all a Merry Christmas and a Happy New Year.

I refer you, and I hope you will read it, to the report that was filed by the distinguished gentleman from New York [Mr. O'BRIEN], the gentleman from California [Mr. SISK], and the gentleman from South Dakota [Mr. BERRY], very distinguished members of our committee, who went over to Hawaii. I think it will be very revealing. That is the report of a committee that went over there, and it actually admits the control that the ILWU has over the economics of the Hawaiian Islands. It is not a matter of debate, it is a matter of complete admission on the part of those people who want Hawaiian statehood worse than any group I have ever seen.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to my distinguished colleague from Mississippi.

Mr. COLMER. I hope the distinguished chairman, the affable gentleman in charge of this bill, will yield some additional time to the gentleman from Texas. After all, there is very little opposition. Very few opponents have spoken against this bill. Before we finally bury the United States of America as such, I think we ought to have some fitting eulogies on it. I hope the gentleman will yield the gentleman from Texas a little time.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Texas.

Mr. ROGERS of Texas. I thank the gentleman from New York.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to my distinguished colleague from Oklahoma.

Mr. EDMONDSON. I have been listening with great interest to the gentleman's remarks, and particularly would appreciate his directing my attention to the place in the report where it states that the economy of Hawaii is controlled by the ILWU.

Mr. ROGERS of Texas. It is on page 4 of the report, that is, the small report. The gentleman has the wrong report. This is the supplemental report.

Mr. EDMONDSON. Which report is it, now?

Mr. ROGERS of Texas. It is on page 4. This is the supplemental report, Committee Print No. 39. I will be happy to read it to the gentleman. It is very short. It states:

The economic control of the islands by the ILWU, some leaders of which have been identified in the past as home-grown or mainland-imported Communists, goes without saying.

That is the language of the report, it is not my language. I was reading that.

This was all brought out in connection with what the ILWU could do or could not do in an effort to get this Communist situation out of this picture, because it was a terrible indictment, and it is something that all of us are worried about, and something that we rightfully should be worried about.

I want here and now to say that it is not my purpose to accuse any Hawaiian or anyone else of being a Communist. I do not know whether or not they are Communists. But I think before we move into a situation such as we are moving into right now, that, in my opinion, is going to completely do away with whatever rights the sovereign States have left, and they have been whittled down to where they are not many, we should realize that this trend is going to create a situation where it is not going to be long until you are going to have a completely concentrated Government in Washington or Denver or Chicago or wherever the national capitol might be, and this Communist menace in that sort

of situation would be much worse than if we maintain the status quo.

Mr. EDMONDSON. Just to get the record absolutely straight about this report, the gentleman has referred to this as a committee report. I think the document to which the gentleman is referring is a report of a special subcommittee consisting of three men on the committee.

Mr. ROGERS of Texas. Yes.

Mr. EDMONDSON. I know that as a member of the committee I have never subscribed my name to a report which states that the ILWU controls the Hawaiian Islands.

Mr. ROGERS of Texas. I do not know, but I have the greatest respect for these three fine men that went over there and found this. I was reading their words.

Mr. EDMONDSON. The gentleman does agree, however, that that is not a committee report but rather a special subcommittee's language that he is referring to; is that not correct?

Mr. ROGERS of Texas. Well, I think that would make it more binding because the special subcommittee consisting of three such fine gentlemen could go into this thing and they could dig much deeper into it than the whole committee could because of the time element involved, and they were right there on the ground.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield.

Mr. PILLION. Talking about reports, perhaps, I might call the attention of the Members of the House to this report issued on February 28, 1959, about two weeks ago, by the Hawaiian Commission on Subversive Activities. Here is what that report says on page 11:

Since 1945 day-to-day ILWU operations in Hawaii have been directed by a regional director and several other paid officials, all selected by the ILWU international organization, not by ILWU members in Hawaii. During that period two-thirds of these officials have been identified as having been Communist Party members.

Now, I might also turn to page 23 of that report and here is what that report said. This is just about two weeks ago, about the UPW that has all been referred to the legislature of Hawaii. It said:

The United Public Workers in Hawaii is controlled by the Communist Party through the instrument of Henry Epstein, Stephen Murin, Max Roffman, Jeanette Nakama Rohrbough and other paid employees of the union.

The Communist Party has exploited the UPW and its membership primarily for Communist purposes.

The elected officials of the union and the rank and file cannot or will not recognize that their union is Communist dominated.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ROGERS of Texas. Mr. Chairman, that 5 minutes went awful fast. Could I ask for just a minute or two more?

Mr. O'BRIEN of New York. If the gentleman from Washington would yield

some time, it would be appreciated. We have very little time left.

Mr. WESTLAND. Mr. Chairman, I yield an additional 5 minutes to the gentleman from Texas. Will the gentleman yield to me for just a moment?

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Washington.

Mr. WESTLAND. We are hearing a great deal of talk about the ILWU and the UP—what is it?

Mr. PILLION. The UPW.

Mr. WESTLAND. Yes, the UPW or something like that. We are not talking here about statehood for the ILWU or the UPW because if we are, I am going to change my vote.

Mr. ROGERS of Texas. There. That is the point, and I am glad the gentleman from Washington brought that out because that is one of the fears about this situation when you are voting statehood out there, if these unions have control of this situation from an economic standpoint, then you are voting the powers of statehood into the hands of these people that run the unions. That is the thing we have to look into thoroughly before we move into this new political area.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. UDALL. All of us on the committee respect not only the sense of humor of the gentleman from Texas but his sense of fair play as well. Is it not likely that the type of officials who will be sent here to Washington and the type of State officials who will be elected will be the same type of people who have been elected in Hawaii in the past? In all likelihood is that not what will happen?

Mr. ROGERS of Texas. That depends on how much pressure can be brought to bear. I can anticipate the situation where those who want to take over economic control and control of State powers would be more than happy to go along with the crowd or lie behind the log so to speak, until those powers may possibly be grabbed and then walk in and grab them. If that is what Jack Hall and Harry Bridges have in mind, which is entirely possible, I think we ought to look into it thoroughly.

Mr. UDALL. The gentleman has served, as I have served, with a Democratic delegate as well as a Republican delegate from the territory and certainly they will elect the same type who are here now.

Mr. ROGERS of Texas. They are wonderful and that is one reason I am opposing this bill—because I think we will lose our good delegate from Hawaii to the other body.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. PILLION. It is not true that the gentlemen who have been sent here to represent Hawaii were sent here with the backing primarily of the ILWU and that when the ILWU withdrew—and that “the” was the Communist dominated ILWU—withdrew its support of Joe Farington, his plurality just went down to

nothing and when they transferred their endorsement to his opponent, then the votes and the plurality went on up and that in the past two or three elections, the ILWU had a considerable and a deciding influence on who came to the House of Representatives as a delegate from Hawaii, and will in the future have a deciding influence on who will come to this House as Members of this House and as Members of the United States Senate?

Mr. ROGERS of Texas. I think this, I will say to the gentleman from New York, I think it is a matter that only the future can determine, because I think that if those fellows do have in their minds doing what I said a moment ago of trying to take over the State government through the election of the Governor and Lieutenant Governor—and they can do it that way—that is what I pointed out was the danger of a cabinet-type of government. It is a step moving in the wrong direction if you are going to perpetuate democracy, to take away the right of the people to vote for their local officers.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. I see on page 47 of the report, Article 14 of the Constitution and the provision relating to the oath omitted, and there is not recognized, a Supreme Being or Deity in the oath that is prescribed for their officials under the constitution of Hawaii. Can the gentleman tell me why?

Mr. ROGERS of Texas. No, sir, I cannot. I was interested in the bill. If we can defeat the bill, we won't have to worry about the constitution of Hawaii.

Mr. GROSS. I am not a preacher either, but the gentleman well knows that we take an oath of office that recognizes the Supreme Being.

Mr. ROGERS of Texas. Summing up briefly in the last minute at my disposal, one could talk on this bill for several days, but I am not going to be allowed to do that, and I can only close as fast as I can, but this whole thing goes to the proposition of our walking into an entirely new situation, actually on hearsay evidence. The committee that went out to Hawaii came back with statements like this: “We were told certain things.” When asked: “Who told you?” we did not get an answer, we never have found out. That is all the information we could get. I do not know whether that ought to be classified or not, but as a lawyer I know that you cannot convict anybody on testimony like that. If we are going to have to rely on hearsay testimony at least we should know who did the talking.

Again, if we are going to go on hearsay testimony I think we ought to give the same weight to hearsay testimony on the other side. I have been told only recently that some of the Reds—in the unions controlling the economy of Hawaii have been to Russia and Moscow attending extensive conferences—and I will be glad to identify the man who told me if requested.

In conclusion, may I say that I am sorry the pleas of myself and others will fall on deaf ears. I sincerely hope that, if this Congress does pass this legislation, we will not be confronted with the tragedies anticipated. But the facts indicate otherwise, and I must oppose statehood for Hawaii.

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, my colleague the gentleman from California [Mr. SMITH] a moment ago well expressed the difficulty with which conscientious legislators face the question of the entrance of a new State into our Union.

During the past 6 years we often have had considerable difficulty in considering Alaskan and Hawaiian statehood because we were not given the opportunity to decide upon them individually in accordance with their respective merits, but had to accept them as a package or not at all. If you opposed one you had to oppose both. That was the difficult situation which many others as well as myself faced.

Today I want to record the fact that I now, and have always, supported statehood for Hawaii. I am sure that the majority of this body is like minded. We do have the various doubts expressed, for example, with respect to the contiguity question, the one-world argument and the argument on matters concerning the ILWU and the UPW, as well as the matter of Communist difficulties. But I think those latter difficulties can be at least as well, and possibly better, handled under statehood than under territorial status.

I feel that on careful analysis the arguments with respect to contiguity, one-worldism, and so forth, have failed to challenge the wisdom of making Hawaii a State. For that reason I say, as I did when I previously cast my vote against Alaska, that the real decision we make on admitting a new State is that concerned with whether or not there are sufficient people and whether or not there is a sufficiently broad economy for the territory involved to support State government and to bear its share of the cost of the U.S. Government. I did not feel this condition existed in connection with Alaska and so stated. When that bill was passed I expressed the hope that I was wrong in my opinion. I feel this condition does exist with respect to Hawaii and that it is fully qualified for statehood. I will so cast my vote today.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California.

Mr. JACKSON. I want to associate myself with the statement made by the gentleman from California. I had some question in my mind with reference to the Alaska matter. That question does not exist with respect to statehood for Hawaii, which I support.

Mr. HOSMER. That statement is particularly significant coming from a colleague who, as an outstanding member of the Committee on Un-American Activities, has been consistently zealous

in his insistence that there be not the slightest weakening of our defense against the insidious subversive activities of the international Communist conspiracy.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. JENSEN. I appreciate the statement the gentleman has made relative to un-American activities which we have heard about as existing in Hawaii. I have been rather undecided as to just how I should vote on this bill, but I have come to the conclusion that we will be in a better position to control any un-American activities that might exist in Hawaii if we make that Territory a State. So I shall cast my vote in favor of statehood for Hawaii.

Mr. HOSMER. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I am voting for statehood for Hawaii as I have done since March 1950. Sure, this is setting a pattern for the United States of the world, but I am young enough in spirit to be thrilled by the vision.

This is a day in history. Today by an overwhelming vote this body will place its stamp of approval on legislation bringing an island in the Pacific, far from continental United States, into the sisterhood of American States. I have voted for statehood for Alaska and for Hawaii in every Congress of which I have been a Member.

The Honolulu Star Bulletin of March 17, 1950, March 20, 1950, and March 21, 1950, carried in three installments my remarks in this Chamber in support of the Hawaiian statehood bill in the 81st Congress. Because what I said at that time is as true as it was at the time of those remarks almost a decade ago I am repeating to my colleagues in the 86th Congress a portion of my remarks in the 81st Congress and which the Honolulu Star Bulletin graciously stated "was a fine exposition of the historic action being taken and dealt with statehood in its broadest aspects."

What I then said was that in the admission of Hawaii, far out in the Pacific, we were setting the pattern for what, without intention on our part, might prove in the working out of the destiny of this changing world in the development of the United States of America into the United States of the world. In travel time we are closer today to the most remote lands of the world than the original States of the Union were to Illinois.

Today as I shall vote for statehood for Hawaii I shall be thinking especially of the young men of Japanese blood who went from Hawaii to the battlelines on the eastern front with the 100th Infantry Battalion and proved by their heroism the intense love for the United States of Hawaiians, including those whose family roots had been in Japan. The 100th Infantry Battalion covered itself with glory, and I am very happy that one of its sur-

vivors, Harry Ono, is the husband of Mary Ono, of my congressional staff, and the first Japanese-American congressional secretary in the history of this body.

MAKING OF A NEW PATTERN

Mr. Chairman, I am quoting from my remarks in this Chamber on March 6, 1950:

In the statehood bill for Alaska which we have passed and the statehood bill for Hawaii which I anticipate we will pass, a new pattern is being laid for that association of sovereign States formed at the beginning of the Republic to attain through union highest measure of welfare for the citizen and of security for the Nation.

For the first time we are accepting into the family of sister States those Territories that are outside of continental United States and not contiguous thereto. Where this will end, to what extent conceivably the pattern may be carried in the realization of the dream of our generation of a permanent peace through a world union of States, only the future can tell.

I think it is proper here to place emphasis on the fact that the step we are taking has not been decided upon hastily. It is altogether too important a step to be left for decision alone to the Members of this body. However able and conscientious they may be, nevertheless in common with all humankind their judgment cannot be infallible. What we are doing is merely making effective the decision arrived at by the American people. That is the way democracy functions with us. The question of statehood for an island in the Pacific and for a mainland not contiguous to continental United States, with a long stretch of islands running into the Orient, has been discussed for a long time in every city, hamlet, and crossroads in the country.

My colleagues and I must accept it as the judgment of the American people as a whole—or that substantial majority which under our democratic system controls—that this step should be taken and in a New World, bound much closer by radio transmission of the thoughts of men and aerial transportation of persons and products, the pattern of the Old World of the horse and buggy should be modernized even in the matter of selecting Territories to be taken into the Union as States. I say we must accept this as the judgment of the American people because when the delegates met at the national conventions of the two major political parties, with scarcely a dissenting note, they pledged the support of their respective parties to Alaska-Hawaii statehood. We Democrats and Republicans may differ in our interpretation of how far the majority vote in a closely contested election is to be constructed as a mandate. There can be no question, however, about the validity of the mandate when it emanates from the voters of the two major parties.

BINDING THE WORLD IN PEACE

I respectfully suggest to my colleagues, with no desire to pose as a prophet, that the new pattern we are setting up may prove a more vital factor than we imagine in bringing the world closer together in peace and the common pursuit of human happiness. Many in this Chamber, in their ardent desire to advance the cause of understanding and of permanent peace, have sponsored the World Federation resolution. It at least is worthy of note that what we are now doing, although certainly it is not in the minds of any of us here, may furnish in the future the basis for a United States of America expanded, on the petition of other peoples, into a United States of the World.

I am not advancing this thought with the idea that having moved in the direction of taking in territory far from continental

United States we actually may, as the world grows closer and closer together, add to our sisterhood of States territories still farther removed. For one thing there is the difference in languages and in customs, which even if distances were annihilated would still present a formidable barrier. But there is no escaping the import of the departure we are approaching. Considered in connection with the development of the backward areas of the world under point 4 of President Truman's plan—an undertaking the success of which hangs on the removal of trade barriers—it at least should furnish the subject for intriguing speculation and lively discussion in the way the American people have of thinking and talking things over even when such things are still in the realm of the improbable and the unexpected.

That we are making history today I think there can be no doubt. The CONGRESSIONAL RECORD of these days of the Alaska-Hawaii statehood debates very likely will be consulted by historical researchers long after the last of those participating in these debates has had his hour in the traditional memorial services in this Chamber. For that reason I am putting in the record, with especial emphasis, that the pattern for the future admission of States, when no longer required to be of contiguous territory or a part of continental United States, came to us from the sound judgment of the American people arrived at after long discussion and deliberation and so wholly on a bipartisan level that both major political parties incorporated in their respective platforms expression of that judgment arrived at by the American people.

On the occasion of the *Maine* memorial anniversary, I called attention to the fact, sometimes overlooked, that the explosion in Havana Harbor on February 15, 1898, started the United States of America on the road to world leadership. I ventured the suggestion that future historians would term the period of the Spanish-American War, World War I, and World War II—the half century or so from the destruction of the *Maine* to the bomb of Hiroshima—as the 50-year war that ushered in the golden era of American world influence.

Now that Hawaii is on the threshold of statehood and a new pattern is being adopted in conformance with the unquestioned mandate of the American people, I think my colleagues will be interested in the remarks of Senator Teller in the U.S. Senate on February 16, 1898, the day following the sinking of the *Maine*. I am quoting from the CONGRESSIONAL RECORD of that day:

REMARKS IN CONGRESS IN 1898

"Mr. TELLER. Mr. President, there has been some interest manifested throughout the world over the question whether or not this Government was about to take the Hawaiian Islands and make them part of the United States * * *. The people of all the world have been looking to see what we are about to do. I picked up the other day a copy of the London Globe of last June * * *. The article was commenting on our desire to annex the Hawaiian Islands, if they should become ours: * * * It was very apparent that the Globe was not friendly to that movement on our part. This is what the Globe said, and it is so truthful that I think it may be worthwhile to read it:

"The American Navy is absolutely unfit to protect the islands (Hawaiian) which lie at the mercy of any Spanish ships appearing at Honolulu while Japan's sea power is so immeasurably superior to that of the United States that a Japanese naval demonstration would place President McKinley in a difficult and perilous position * * *.

"Viewing the great strategic value of the group to England, it is a matter of regret that the islands were not added to the British Empire long ago. Lord Salisbury should stiffen his back and tell McKinley plainly that Great Britain claims the right

to be consulted before the matter of annexation is decided."

"Mr. President, Japan is a small power. Small, I mean, when compared to the United States, small in resources compared with the United States, though it is strong in its navy when you consider the results it might accomplish as a nation. Yet, when there was a note of protest from Japan against the annexation of Hawaii, it was urged by a great many people in this country as a bar to annexation that we were not free to exercise our own judgment because it would not do to get into a quarrel with Japan."

JOINED IN WORLD OF BROTHERHOOD

Mr. Chairman, I am voting for statehood for Hawaii as I voted for statehood for Alaska. With every new State that joins up with us, to share under free government, the benefits and the responsibilities of joint effort in advancing human welfare, greater strength is given us to carry on. My faith is in my country and the purity of its purpose to ask nothing for its own people that it does not seek to make possible for all men to attain in a world of brotherhood. My faith is in the people of the United States and when after discussion and deliberation they have reached a judgment, by that judgment I will abide.

(Mr. O'HARA of Illinois asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. ANDERSON].

Mr. ANDERSON of Montana. Mr. Chairman, I am particularly happy because Montanans have played an important role in this drama of Hawaiian statehood over the years. Montana's distinguished senior Senator, JAMES E. MURRAY, as chairman of the Senate Interior Committee, has worked hard and effectively for Hawaiian statehood for many years. Last night Senator MURRAY enjoyed the unique distinction of being the only legislator ever to have piloted two statehood bills to a successful conclusion. This distinction will probably never be attained by any other legislator, excepting only our own distinguished subcommittee chairman, the gentleman from New York [Mr. O'BRIEN].

Montana's junior Senator, MIKE MANSFIELD, as assistant leader of the Senate, has given freely of his talents and abilities in pushing Senate action to such a prompt and happy conclusion.

The senior Congressman from Montana [Mr. METCALF], for years a member of the House Interior Committee, has lent his brilliant legal talents and his energy and drive to the accomplishment of statehood for Hawaii. As a member of the Interior Committee, I myself have followed carefully the progress of Hawaii toward statehood, and I feel that this is the time to bring this long march to its glorious conclusion.

It may come as a surprise to some of the members of this committee that there is a fifth Montanan even more directly concerned with the current and successful campaign to make Hawaii a State. That fifth Montanan is our beloved colleague, Delegate JACK BURNS. JACK BURNS was born in my district, in Havre, Mont. Delegate BURNS is certainly entitled to major credit for the strategy which has finally broken the deadlock of many years, and leads to

the admission of Alaska and Hawaii as the 49th and 50th States of the Union in this year of our Lord nineteen hundred and fifty-nine.

Those who attacked and vilified Delegate BURNS for supporting Alaskan statehood ahead of Hawaiian statehood now stand confounded, convicted themselves of a shortsightedness which, had it prevailed, might well have simply perpetuated the stalemate which dogged both States for so many years.

The resounding note by which we pass this bill will be an exoneration of Delegate BURNS' strategy, and at the same time will demonstrate the love and affection and respect in which we hold our beloved colleague.

(Mr. ANDERSON of Montana asked and was given permission to revise and extend his remarks.)

(Mr. KOWALSKI (at the request of Mr. O'BRIEN of New York) was given permission to extend his remarks at this point in the RECORD.)

Mr. KOWALSKI. Mr. Chairman, from 4½ years of experience in Japan and Korea, I feel I know something of the great importance which the people of the Orient attach to the admission of Hawaii to full membership in the United States. No single act by the Congress could give our Nation more prestige among the teeming millions in Asia than the granting of statehood to Hawaii.

The leadership of the new free nations in Asia from Korea around the Pacific Basin even to Ceylon have their eyes on Hawaii and this Congress. They are watching our handling of the Hawaiian statehood issue, not because they have an economic stake in the outcome, but because they have a great emotional involvement in the granting of statehood to our outer bastion in the Pacific.

This emotional involvement is based on questions now unanswered in their minds:

First. Are the non-Caucasian, chiefly oriental peoples of Hawaii, acceptable to this Congress for full and complete citizenship in the United States of America?

Second. Are the Members of this Congress open to the acceptance of men whose forefathers came to our shores from Asia as their colleagues in the great American legislative process?

Third. Are the United States ready to symbolize the noble concept of the equality of men by the admission of Hawaii to statehood, thus giving reality to a term that will otherwise be an empty abstraction where Asians are concerned?

Who are these Asian leaders, what manner of men are they? Our experiences of them, widely reported, confirm that these leaders possess certain common characteristics.

First. They are men of intelligence, well informed on the affairs of the world and keenly aware of the nature and intensity of the relations between the free world and those nations in the Communist orbit.

Second. They are intensely nationalistic and hold a dim view of relationships between peoples that so much as border on colonialism.

Third. They are culture-bound to each other in the vast panoply of the Asian complex.

Fourth. They are akin to and sympathetic to that large segment of the Hawaiian public of oriental ancestry.

To them, the granting of statehood to Hawaii will be a convincing evidence of our acceptance of free men of their own antecedents.

The case for Hawaiian statehood on merit is conclusive. The significance of Hawaiian statehood as it will symbolize freedom and equality to free Asian leadership is even more conclusive.

If we want to demonstrate to Asian leaders in the free world that we mean what we say when we seek their friendship and support in the struggle to keep people free, there can be no more convincing act than to grant statehood to Hawaii now.

(Mr. SHELLEY (at the request of Mr. O'BRIEN of New York) was given permission to extend his remarks at this point in the RECORD.)

(Mr. SHELLEY addressed the Committee. His remarks will appear hereafter in the Appendix.)

Mr. O'BRIEN of New York. Mr. Chairman, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of H.R. 4221, which would provide statehood for Hawaii.

I supported statehood for Alaska last year, and feel that the citizens of Hawaii are equally entitled to statehood. Many of the present residents of the Hawaiian Islands formerly resided in the United States, and particularly in the Pacific Coast States. These residents have had experience in carrying out their responsibilities as voters in their former State governments, and also as voters for President and for Representatives in the House of Representatives and for U.S. Senators.

It is evident to me that the citizens of Hawaii are fully qualified to assume the responsibilities of statehood. In fact, I feel it would be a serious discrimination against them if they were not granted statehood at this time. The citizens of Hawaii are governed by Federal laws. Their taxes are established by the U.S. Congress. Certainly they are entitled to participate in these decisions through electing their chosen representatives to serve in the House of Representatives and in the Senate. Likewise, they should be entitled to participate in the selection of their President. I urge approval of this measure.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. JOHANSEN].

(Mr. JOHANSEN asked and was given permission to revise and extend his remarks.)

Mr. JOHANSEN. Mr. Chairman, for all practical purposes we are going through motions today. All of us know that there is no question as to the out-

come of this issue. For all practical purposes the question of statehood for Hawaii was decided last year when Alaska was made the 49th State.

I voted against statehood for Alaska. I shall vote against statehood for Hawaii.

Among a number of reasons, I shall do so as a matter of consistency. I do not believe that it is a course of wisdom to bestow statehood on a noncontiguous Territory, particularly one 2,000 miles beyond the continental United States.

While our fellow citizens in Hawaii have a testament to their loyalty heroically written in World War II and the Korean war, I am not satisfied that adequate progress has been achieved in Hawaii in coping with the very real fact and threat of Communist infiltration and of domination by Communist leadership in organized labor in that Territory.

I am frank to say that my vote against statehood is cast with some reluctance. I recognize that if it was a mistake to grant Hawaii the status of an incorporated Territory—historically always a prelude to statehood—rather than commonwealth status, that mistake was made 59 years ago. I suppose that there are some sort of practical statutes of limitations so far as trying to remake history or undo past mistakes are concerned.

Mr. greatest concern in opposing statehood is the possibility that we might undercut the efforts of our fellow citizens in Hawaii in combating communism. I am deeply impressed by the arguments on this score advanced by the distinguished chairman of the House Committee on Un-American Activities [Mr. WALTER], a committee on which I am privileged to serve. I am likewise impressed by the statement in the same vein offered by the distinguished former ranking minority member of that committee, former Congressman Kearney, of New York.

But I note that the gentleman from Pennsylvania [Mr. WALTER], with characteristic frankness and modesty, seemed to acknowledge in his testimony before the Committee on Interior and Insular Affairs that it is a matter of hope and faith rather than demonstrable proof that statehood will improve conditions in Hawaii so far as the Communist problem is concerned.

I earnestly hope and pray that this will prove to be the case. I hope that statehood for Hawaii can never become a device of the evil forces of communism for the injury of the United States, the State of Hawaii, or its loyal citizens. I pledge that, as long as I am privileged to be a Member of Congress, I will work in every way within my power to support our fellow citizens in Hawaii, as elsewhere in these United States, in their fight against internal subversion and betrayal by the enemies of our country.

So much then for the issue of Hawaiian statehood and the reasons for my stand on this issue.

Now, Mr. Chairman, I wish to address myself briefly to a bitter irony and an intolerable paradox which confronts the people and the Congress of the United States at the very moment we take the

historic step with respect to statehood for Hawaii.

The simple and shocking truth is that statehood today means less than it has ever meant in the history of our Republic.

In my judgment, the simple and shocking truth is that a great deal more of statehood was conferred upon the first State admitted to the Union, after the Original Thirteen, than we are conferring in this year 1959 upon the new State of Hawaii.

In my judgment, we would be much more realistic, and we would be addressing ourselves to a far more timely issue, if we were concerned with the problem of restoring statehood to the 49 so-called States of the Union—soon to become 50. I am sure that my colleagues do not need to have my meaning spelled out in great detail.

By action and inaction on a dozen fronts, the status and role of the sovereign States in our Federal system of government is being obscured, weakened, and destroyed.

Not so long ago, a U.S. district judge—he does not happen to sit in my own State of Michigan—acknowledged to me that the practical meaning and import of the 10th amendment and of the reserve powers of the States is, at best, obscure and, at worst, no longer capable of definition.

We have among supposedly responsible leaders of our Nation, including Members of Congress, open advocacy of the federalization and centralization of the tax-levying and revenue-dispensing functions of government, necessarily at the expense and sacrifice of State prerogatives and responsibilities in this field.

We have numerous excursions of the Federal Government, both by legislative and judicial act, into areas of responsibility and authority historically and constitutionally belonging to the States.

We have the judicial decree of the doctrine of Federal pre-emption, a situation which the Congress has thus far failed to set right.

And here is the supreme irony: The very statehood which we are now bestowing upon Hawaii, the very statehood which the citizens of that territory so deeply covet, as matters now stand, involves impairment of the powers and efforts of Hawaii to cope with its own direct problems as a State.

For example: It is extremely doubtful whether, under existing decisions of the U.S. Supreme Court, the provision against office holding or employment in the State government by a person "who advocates, or who aids or belongs to any party, organization, or association which advocates the overthrow by force or violence of the government of this State or of the United States" will have any validity or effect.

Under existing decisions of the U.S. Supreme Court, it is questionable whether Hawaiian efforts to investigate and expose Communist activity will have—or even now has—any legal validity.

I earnestly suggest that it would be much more in order and much more

timely for the Congress of the United States to be devoting its time and efforts to the repair of the status of statehood rather than to the bestowal of a statehood, which in the words of one eminent authority, has become or threatens to become a hollow shell.

Certainly once this business of statehood for Hawaii is disposed of, I earnestly hope that the Congress will direct its attention to this far broader and more fundamental problem.

And since I am discussing the impaired status and standing of statehood, I must direct my attention for a moment to testimony given by the distinguished gentleman from Texas [Mr. POAG], when he appeared before the Committee on Interior and Insular Affairs during the hearings on statehood for Hawaii.

What I have to say about this testimony of the gentleman from Texas is said with all respect and, I think, with some understanding of the provocation under which he spoke.

I have long believed that we could not continue indefinitely the negating and nullifying of the 10th amendment and the reserved powers of the States without ultimately precipitating the sentiments voiced by the gentleman from Texas.

In his testimony on January 28 of this year, the gentleman from Texas, obviously referring to the fact that the Confederacy lost the war fought between the States on the issue of secession, said this:

We always believed, and still believe, if anyone wants out, let them get out and go on their own.

I would gladly say to anybody, in or out of the continental United States, "go your own way, if you do not like the Union you are in."

Needless to say, these are words that distress and alarm me. I am sure that there is no serious proposal to revive the issue of secession. I do not believe these words were intended to suggest, in connection with the granting of statehood to Hawaii, that there is a future right to demit membership in the Federal Union.

Yet it is profoundly disturbing to have these words spoken in any circumstance and doubly so to have them spoken in conjunction with the consideration of the creation of a new State. It strikes me as being as incongruous as the insertion in the marriage service of a declaration of the right of divorce.

As Members of Congress and as American citizens, we have every right in advance of the decision to differ on the question of statehood for any new territory, but once that decision is made, there must be a full understanding that the new State becomes a permanent member of an indissoluble Union.

To me the real import of the words spoken by the gentleman from Texas is that here is one more solemn and somber warning that we must address ourselves to repairing the status of the States and restoring them to their rightful place in our scheme of government.

One final word: I have no wish to prejudice the caliber or the political philosophy of those who will take their place in this House and in the other body as

the duly elected representatives of the State of Hawaii.

I would be less than frank, however, if I did not admit to a fear that the prevailing political ideology of a majority of the citizens of Hawaii may be such as to add new membership in the Congress schooled in a philosophy, or responsive to the pressures of organizations and philosophies, which would weaken, if not destroy, the meaningfulness of the very statehood we are about to bestow.

I am frank to say that this is the most compelling reason for my vote against statehood. I earnestly hope and pray that I shall be proven completely wrong.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. DAVIS].

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Georgia. Mr. Chairman, I should like to compliment the distinguished gentleman who has just left the well on the splendid presentation he has made. I refer to the gentleman from Michigan [Mr. JOHANSEN]. I should like to associate myself with his remarks on this subject, and also associate myself with the remarks of the distinguished gentleman from Texas [Mr. ROGERS], who spoke just a short time ago.

I think on a subject as grave as this under discussion today the people of the United States should have an opportunity to vote on whether or not the new State should be admitted. In the last Congress I introduced an amendment to our Constitution to provide that any State hereafter to be admitted must be voted upon by the States already in the Union. I think this method now in vogue, now legal under our Constitution, of having a new State voted in by a mere majority vote of the membership of the two Houses of Congress, does not approach it with the seriousness the question really deserves.

During the debate here this morning in discussing the very serious question of communism involved in this legislation, the question was raised as to the activities of this notorious Harry Bridges within recent months. I have investigated that to a considerable extent myself.

The information I have obtained is that this Harry Bridges who, on at least two occasions that I know of, has been the losing party in litigation in lower courts on such matters as deportation and perjury, but who has always been successful in having his convictions and the decisions in the lower courts set aside when he comes up here to the Supreme Court. This man, with an assistant named William Glaser, left this country on January 21 and went to Rome, where he was met by Italian Communists. He was taken to the CGIL, which is the general confederation of Italian labor, the Communist labor federation which has stirred riots against the United States in Italy. It constitutes a part of the underground of the Italian Communist Party. He engaged there in considerable negotiation with the Communists of that country. He appeared later in Prague, Czechoslovakia, which is the

munitions capital of the Iron Curtain countries, on February 7.

There in Prague, he said he would come back to the United States to explain the views of the Iron Curtain countries and he said further that we get nonsensical propaganda from our press and radio about the Soviet Union and the Iron Curtain countries in the United States.

I understand he was a guest of the Union of Workers of Transport and Tele-Communications, which I am also advised is a Communist union. I am further advised he arrived in Moscow on February 8 of this year and that in an interview there, he declared and I quote what is said to be his language:

That unions in the U.S.S.R. are more democratic than many of the unions in the United States.

He said also that the system of elections in the U.S.S.R. is more democratic than many American ones.

He further is quoted as saying he wants United States workers to visit Russia because everything United States workers have heard about the U.S.S.R. is nothing but slanderous propaganda.

I am advised also that he arrived back in this country on February 24 and that he is to appear under subpoena before the House Committee on Un-American Activities on March 24 of this year.

The question of the population in Hawaii, I think, is a very serious one. The population is predominantly Asiatic. That is something which I do not know how many of us here in America realize.

Mr. Chairman, in the revision of my remarks, because I will not take the time to do it here, I will insert the figures as to the number of Japanese, Caucasians, Filipinos, and mixed bloods and Chinese, and Hawaiian who were in the Hawaiian Islands on the basis of the 1950 census.

The official 1950 census figures show that Asiatics and nonwhites account for more than 70 percent of the islands' population. Less than 25 percent of the people are white and fewer than 5 percent are Hawaiian, that is, descendants of the original natives or Polynesian stock. Here is the breakdown from the 1950 census:

Japanese	184,611
White Americans.....	114,793
Filipino	61,071
Mixed bloods.....	66,806
Chinese	32,376
Miscellaneous nonwhites (Negro, Puerto Ricans, etc.).....	20,852
Hawaiian	19,285

(Mixed bloods and Hawaiians are estimated on the basis of the 1940 census, as the 1950 census combines Hawaiian and part-Hawaiian into one category.)

With a population so radically different from the rest of the United States, this Territory cannot possibly qualify as one of the United States. Its background is radically different from ours. Its history is very different from our own and that of our forefathers. The 65 percent nonwhite influx has been almost exclusively a labor force imported from other Asian countries to work the pineapple and sugar plantations of the few white immigrants. In any case, it is quite clear

that the historical and ethnic backgrounds of Hawaii and the United States and even between the various Hawaiian peoples are radically different from each other. The language and the dialects are also different. There are really no shared experiences that extend substantially into the past among its people. Hawaii is essentially rootless. Its closest link with the mainland was during World War II when it served as a base for operations of our Armed Forces. Now that is no reflection on the nonwhite population, but the cross currents of racial feeling do create political and administrative whirlpools too dangerous to yet be allowed the authoritative voice in the American Government that goes with full statehood. Furthermore, I have in my files a breakdown of the nationalities of candidates who were elected in Hawaii in the general election in November 1954. This breakdown and report was compiled by an election inspector in Honolulu who stated that a check through the ballots disclosed that the Japanese in that country do engage in block voting.

This breakdown of the election results in the 1954 general election shows that of the 15 members of the Hawaiian Senate, 7 are of Japanese ancestry; and of the 30 members in the Hawaiian House of Representatives, 15 are of Japanese ancestry. I would say that the results of the election clearly confirm the statement of the election inspector that the Japanese do engage in block voting. The Japanese people certainly constitute the largest nationality group in Hawaii. It is contrary to our traditions in this country, and I think that in any country where democratic principles are adhered to it is contrary to such principles to engage in block voting.

The point of noncontiguity has been referred to many times in this debate. It comes into both the area of national defense and that of economic self-sufficiency.

World history shows that the growth of the most dangerous enemy of the free world today—Soviet Russia and its satellites—has been based on expansion only on her perimeter for the last 700 years. Soviet Russia has never included territory that could not be reached by direct land route. Her lines of communication for war or peace have been interior lines of communication and supply. The great powers of the past which depended upon overseas communication between areas of empire have steadily receded through the centuries. Spain's dual hemisphere power crumbled. The flight from colonialism has taken its toll from Great Britain, France, Italy, the Netherlands—most of that toll being in direct chronological parallel with the growth of Soviet and Communist power.

There is great doubt in the minds of many of us in Congress that the present war-threatened age is the time to abandon our historical position of contiguous territory in favor of a similar geographical alignment to that which has proved disastrous to all nations which have tried it in the past.

There is also the question of territorial waters. The distances between the

eight major islands included in the statehood bill range anywhere from 15 miles to 121 miles. Each of these little islands is separated from the other by international waters, under our 3-mile offshore limit. This means that to get from one part of the State to another, one would have to cross the high seas and could run into foreign shipping. This also means that the enemy could sail in and out of the area of one of our States without our being able to do anything about it. It would be difficult to think of a more untenable or dangerous position to be in.

The point of producing unbalanced representation in the Congress certainly applies to Hawaii.

Four States of our Union—Delaware, Nevada, Vermont, and Wyoming—have smaller populations than Hawaii. This fact is sometimes used by proponents of statehood as an argument for granting statehood to Hawaii as a matter of course. The cases are different, however. Delaware was one of the original colonies signing the Declaration of Independence, with ratification of the Constitution in 1787. Vermont has been a State since 1791, Nevada since 1864, and Wyoming since 1890. None is affected by the threat of Communist infiltration, non-Caucasian majorities of population, or noncontiguity to the degree of the present candidate for statehood. Certainly their acceptance in the Union for periods ranging from 69 years, in the case of Wyoming, to 172 years in the case of Delaware, overrides any question of present population in determining their right to their representation in Congress.

All of the Colonies and Territories admitted to statehood have been located on the North American Continent. Each Territory before admission adjoined either a State or a Territory and when admitted became a part of the unbroken contiguity area which makes up our country.

To avoid the evils of a multitudinous, unwieldy House of Representatives, the membership was fixed at 435 in the year 1911. It has remained at that figure since. The 1929 Apportionment Act made the reapportionment of House seats for each State automatic, with a permanent limitation of 435 seats.

Statehood will entitle not only the 49th State of Alaska but Hawaii also, if it is admitted, to either 2 or 3 seats, depending on which number is finally decided upon. These seats will displace those presently held by some Representatives in this House. The average increase of our population, according to the U.S. Census estimate, is 13 percent between 1950 and 1957. The loss of membership in the House of Representatives will necessarily be borne by those States that have failed to keep pace with the 13-percent average increase in population.

A listing of these candidates for loss of representation discloses a list of some of the most distinguished and history-laden States in our Union. At least these States would be affected: West Virginia, Mississippi, and Arkansas.

In any case, the vote of the individual American would be diluted by the admis-

sion of Hawaii. If we vote to admit Hawaii, we would be voting in effect to reduce our representation.

Now, Hawaii is not a part of America—either North or South. If Hawaii were to be admitted as a State, the term "United States of America" would be a misnomer. It would become the United States of America and the Pacific. We could no longer write, talk, or say "the good old U.S.A." We would have to refer to it as the "good U.S.A.P.," from that time on.

In the Hawaiian Statehood Commission booklet, there are such phrases as "its rightful place as a State of the Union," its "inherent right to statehood," the "demand for statehood," and many others.

I do not concede that any State which was ever admitted had any "inherent right" to such admission. They were admitted because they wanted to come in and because our Government was willing to let them in. There was no question of "inherent right" involved. There is no such right involved in this instance. There is no such thing as a right to statehood; there is only the privilege of statehood.

Last, but by no means least of the objections to Hawaiian statehood is the fact that not all the islands in the Hawaiian chain or archipelago have been included in the statehood bill, H.R. 4221. This is a glaring inconsistency.

It palpably demonstrates the fact that what are generally known as the Hawaiian Islands are so far flung and disconnected that they could not possibly make up a proper State as we have understood the term. H.R. 4221 specifically excludes from the chain of nine major islands the island of Palmyra. Yet, the Territory of Hawaii includes Palmyra as one of its nine major islands. Why is Palmyra "together with its appurtenant reefs and territorial waters" left out?

Because, the office of the Hawaiian Delegate informs us, it is too far away from the nearest major island, Kauai, which is about 950 miles away.

Also, I am informed, because it is owned by only one family.

To take each point at a time, if distance is to be a criterion for disqualification, would not the entire Hawaiian chain, which is some 2,500 miles from the nearest point on the U.S. mainland, be unqualified for inclusion in the family of States? This is clearly an a-fortiori case.

If Palmyra—which is 950 miles from the rest of Hawaii—is too far to be included as part of the new State, then the Hawaiian Islands as a whole—which are 2,500 miles from the U.S. coast—are too far to become a part of our country.

Besides the remote distance, there is also the matter of small population. Included in the group of eight major islands proposed for statehood are two islands, Kahoolawe and Niihau, which between them, have a population reaching the grand total of 75. The thriving metropolis of Kahoolawe—or whichever way it is pronounced—has no known population at all. According to the

Delegate's office "only goats" live there. The size of the island, or atoll, or whatever one would call this thing that protrudes out of the water, is exactly 45 square miles.

The island of Niihau, which is included, is 72 square miles small and has a population of from 50 to 75—people, that, not goats this time. All these people are members of the household of one, Mr. Robinson, a planter and sole owner of the island.

If the second reason for excluding Palmyra from statehood was the fact that it is owned by one family, the same argument could be raised for excluding Niihau also, for it, too, belong to only one family.

The height of inconsistency and the double standard has been reached in this matter.

I fear that, really, the main argument for statehood of the proponents is a sentimental one and one which should have no place in serious consideration. They probably feel that because Alaska was granted statehood last year, it would be only fair to extend the same privilege to our other great Territory. If that argument were accepted, just think of the possibilities.

What about Puerto Rico, for example? And the Virgin and Samoan Islands? The Panama Canal Zone? Wake, Midway, and Guam? Johnston and Sand Islands? Canton and Enderbury Islands? The Carolines, Marianas, and Marshall Islands? What of Okinawa? And how about little Kingman Reef?

The possibilities of such a fallacious argument stagger the imagination.

As to Alaska, many Members opposed its admission to statehood last year and before then. Some of the grounds for opposition to Alaska were similar to those against Hawaii, although the case against statehood for Hawaii, I believe, is much stronger.

We were not successful in regard to Alaska. But not for that reason will we give up the effort to prevent yet another mistake from being made. Two wrongs do not make a right, as the old adage so wisely said. They only constitute two wrongs. Let us not compound our first error with another error such a short time later. Let us rather try to make amends for the error by rejecting the proposal to admit Hawaii into the Union.

To those who keep arguing that it is important to look over our shoulder at what foreigners might think about our internal actions, I say that by not incorporating Hawaii into the Union of States we would be showing the world that we are not an imperialistic nation. In effect, we would be saying that people abroad need have no fear about being engulfed by mighty Uncle Sam. We respect even the Territorial status of our good friends the Hawaiians.

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I want to congratulate first

of all the majority and minority members of the committee for presenting the case of statehood for Hawaii so ably. I am delighted to vote again for statehood, for Hawaii, as I always have. I am very sure when Hawaii becomes a State she will be loyal to the United States, her foster mother. She has always been extremely loyal to us, and her sons have fought in great numbers to preserve their freedom and ours. Many gave their lives for us and many have gotten terribly sick and wounded for us. I wish for Hawaii and her people great happiness and great success always. She will be a great addition to our United States.

I remind the House that New England missionaries played a very important part in the development of Hawaii. Hawaii is one of the garden spots of the world, and I have many friends there.

Mr. ASPINALL. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, the sole question, as I see it, with respect to the charges made about communism in Hawaii is how to best deal with the situation.

It so happens that the Committee on Un-American Activities, of which I am for the moment chairman, conducted rather extensive inquiries into this question several years ago. The hearings took upwards of 2 weeks, following nearly 3 months of intensive investigation by a competent staff of investigators.

There is no question but that Communist unions have a very strong hold on the economy of Hawaii. There is no question but that the Bridges union, under the control of Jack Hall, exercises influence far beyond the usual and normal influence and legitimate activities of labor leaders. In politics their pressures have been felt. And, in that connection let me say to you that it has not only been the Democrats that this group has endorsed. We have in our files complete and irrefutable evidence of the exercise of influence on behalf of members of the other party. But, my friends, again here are we going to wash our hands of this situation? Are we going to say to the good people in Hawaii, of which there are no better people anywhere on the mainland, "We are not going to permit you to become a part of this great family of States because in your midst are those who are members of organizations that are dedicated to the overthrow of the Government of the United States?"

Now, in answering that question let me call your attention to something very, very significant and very serious. Not too long ago the base of our naval activities in the Pacific was moved from Japan to Hawaii. Now, that means that this is our extreme western bastion of defense. Are we going to permit a left-wing, Communist-dominated labor union to cripple the activities of our fleet, or are we going to take a chance that the people in Hawaii, awakening to their new responsibilities as citizens, will at-

tempt to do something about this intolerable situation? I say to you that this situation is not going to improve so long as Hawaii does not have a chance to demonstrate that it is proud of the fact that it is a voting member of this beloved republic of ours. Given that chance, I am certain that the hold that Mr. Hall and his associates have on the Hawaiian economy will be broken for all time to come. During the course of the time I spent in Hawaii—and unlike many people, in a few weeks time I did not learn all about the economy of Hawaii, but I did learn much—I associated with people in all walks of life. I met the leaders in every strata of society, and I am thoroughly convinced that the patriotism of these people, as demonstrated by the 442d Combat Battalion, is not exceeded anywhere in these United States. And, I ask you, as a security move, to enact this legislation to the end that these people will throw off the yoke of those who are so strong and so powerful.

In that connection I would like to call your attention to the fact that just recently the employers in Hawaii were forced to sit down and bargain across the table with a man who was under sentence of 5 years in the penitentiary because of his advocacy and his connection with the movement that advocates the overthrow of the Government of the United States. It is inconceivable to me that those people, who were forced into that position, will not take the kind of strong, positive and drastic action necessary to place in positions of authority those people who do not subscribe to this foreign ideology. It is indeed unfortunate that the Supreme Court saw fit to so interpret the Smith Act as to permit these people, who had been properly convicted, to escape going to the penitentiary. But it seems to me that if this bill is adopted, and I am sure it will be, we will find a completely different attitude on the part of the people in Hawaii and a complete change in the entire structure of the labor movement in Hawaii.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. Mr. Chairman, first I should like to commend the distinguished gentleman, the Chairman of the House Committee on Un-American Activities, for a very factual statement. I think he came to about the same conclusions that our small committee, which went there last fall, arrived at. Our report has been criticized by some, but in our report we faced up, as the distinguished gentleman from Pennsylvania has faced up to; the fact that there is communism in Hawaii is something that is to be deplored; and it is too extensive. But we also looked, as did the gentleman, at the other side of the coin, and we saw what the people there wanted to do and were trying to do about it.

May I ask the gentleman if it is not true that the people who were convicted as Communists, as advocates of the vio-

lent overthrow of our Government, were tried and convicted by the people of Hawaii, and their going free was the result of an action over which they had no control?

Mr. WALTER. Oh, yes; there is no question about that. The jury was selected in Hawaii, an all-Hawaiian jury, which found those people guilty; that is correct.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman.

Mr. PILLION. Is it not true that the frightening increase of communism and its influences throughout the world, in Africa, in Hawaii, in Asia, is not dependent upon the form of government in any of these areas; that, no matter what the form of government may be, communism continues its advances in South America, in Cuba, in all these places; and the mere fact that statehood would give Hawaii two Representatives and two Senators and an elected Governor would not in any particular way be a cause for the lessening of Communist influences in Hawaii?

Mr. WALTER. I shall try to answer the gentleman's numerous questions by saying that it is true that the form of government makes no difference. But if given the feeling of belonging, if given the feeling of being a part of this great sisterhood of States, I am sure they will do more than is being done now. Now nothing is being done.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALTER] has expired.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, during this historic debate there is only one regret I have had, and that is that the Honorable Joseph Farrington, my dear friend, who was Delegate to this Congress from the Territory of Hawaii for many years, is not here today to see the culmination of that for which he worked so long and intelligently and valiantly, as did his wife, Betty, following him as Delegate, and as has the present Delegate from Hawaii, Mr. BURNS. Actually, Joe Farrington burnt himself out and hastened his own death by the dedicated zeal with which he worked for this cause. He did it not only as something desired by his constituents but as of the greatest importance in that crucial part of the world from the standpoint of the total well-being of the United States.

Mr. Chairman, as my speech today I should like to read, if I may, an extemporaneous statement I made before the House Committee on Public Lands when the first statehood for Hawaii bill, and I was one of those privileged to introduce it, came up for hearing on March 10, 1947. I do not know anything that is substantially different now from the situation existing then, except that the urgency it is, is even more acute now than it was then; and the need is more visible to more people.

The original statement begins on page 85 of the published committee hearings on statehood for Hawaii, 1947.

No one can be blind to the fact that there is a life death struggle going on in the world today between the only two basic forms of government there have ever been. One form is essentially dictatorship, government from the top down. And nobody can deny that that form of government once more is making tremendous strides in the world, encroaching steadily on the other form which is basically democratic and can perhaps best be described by the word "federation"; federation of classes or of blocs or of races or of people or States. Either the democracy principle will extend and grow and expand; or the dictatorship principle will grow and extend and expand. At this particular juncture in the world's history—this was 1947—when we witness this struggle all about us, I can think of few things more important than for the United States to demonstrate by action which way it really believes in.

This bill affords us an opportunity to recognize in Hawaii one of the most distinguished achievements of American democracy as contrasted with the other type of government. Nowhere else in the world, including our own 48 States on the mainland, has there been a more successful demonstration than in the Hawaiian Islands of the ability of people of different races and national origins and tongues and cultural and social and intellectual background to work together in mutual respect and teamwork for the good of all, as the true way to promote the good of each.

It is no longer just an experiment for us to argue about. It is an accomplished fact.

Granting statehood to the people of Hawaii at this time will be more than just fulfillment of their aspirations as citizens of the United States. It will focus attention throughout the whole vast Pacific basin on the capacity of our form of government to inspire the loyalty and the cooperation of people of many racial and national origins. I am sure that such an example will have an immeasurable value in strengthening our relations with every people of the Pacific Ocean area.

Hawaii's heritage has been very fortunate for the development of an enlightened democracy. Its aboriginal race, the Hawaiians, who character and culture have left a marked influence on the modern community, were a friendly, tolerant, intelligent, and gracious people.

The early missionaries from New England, and if I may pause to interject a personal note, having been a medical missionary myself for 10 years in China, I have always been interested in the fact that the first doctor to the Sandwich Islands, as they were called then, was a distant relative of mine, Dr. Garrett Parmalee Judd, who went out in 1828, as I recall, under the mission board which I was privileged to serve later. He was the first to serve the people of these islands as a physician.

There were four other families, the Cooks, the Castles, the Bishops, and one other family—you see their names on the stores, the banks, the streets and parks all over Hawaii today. The five families went out from New England in a sailing vessel around Cape Horn, a 6 or 7 months' journey to the Sandwich Islands. The families now have descendants all through the islands.

The early missionaries from New England brought with them a strong faith in public education, in the worth of the individual human being, and in the strictest political democracy.

The plantation owners, also, who carried on a strong missionary tradition, were on the whole zealous in the promotion of public health and education without discrimination among the workers of many racial backgrounds who came to the islands. Consequently, Hawaii's standards of rural health and rural education are an example to the whole country.

The high moral and physical standards which have resulted from these influences are the foundation of Hawaii's success as a democratic American community.

It is fortunate that this is the case, because, from a mainland point of view, we must place a stronger national reliance upon the people of Hawaii. Their position is one of key importance in the Pacific world. They are on the life lines of trade and cultural intercourse between all peoples of the area, and the diversity of their own racial background gives them an intense and broad interest in Pacific affairs. Can anyone doubt that representatives in Congress from this thoroughly American mid-Pacific State will broaden our horizons, enrich our congressional debates, and contribute in many ways to the national welfare?

No Americans are more alert to our problems of national defense than those who live on our frontiers, especially those in Hawaii who, in 1941, suffered the severest enemy attack ever inflicted on American territory and were compelled for many months to toil unceasingly and unwaveringly in their own and the Nation's defense.

I am sure, therefore, that one of the advantages which we as a united Nation will derive from having the State of Hawaii fully represented in Washington will be an increasing alertness to all problems of national security in that part of the world and an added ability to meet those problems effectively. A loyal island people, firmly united with the rest of the American people, will have a high strategic value for the entire Nation.

Above all, I am convinced that our national policies will be judged in no small measure by the decisions we make with respect to the people of Hawaii, and other island peoples of the Pacific. We should continue to demonstrate the reality of our belief that every people should have a government of its own choosing. It will be a great advantage to the United States to have one of our great States in the mid-Pacific as a conspicuous example of our American way of life.

In summary, I believe statehood should be granted to the people of Hawaii, first, for security reasons.

There is bound to be uncertainty and instability in the Pacific for years. Forces are at work there which have destroyed the old patterns and nobody can predict with certainty what the new pattern is to be.

It seems to me incontrovertible that our situation would be far better, and that Hawaii would be a much firmer bastion of American security as a full State than it would as a Territory of restless, unhappy half-citizens.

Under their present status, they have to make the same contribution to the national welfare as other citizens but without the same rewards, the same standing as citizens on the mainland.

The question of physical separation from the mainland seems to me inconsequential because, of course, Hawaii today is so very much nearer the rest of the Nation than our Western States were when they were admitted to statehood.

The second reason is commercial considerations. The undeveloped areas of the world are largely in Asia. I am willing to hazard the prediction that eventually historians will agree that World War II all along was a war more than anything else to determine who is going to control the development of Asia and the other undeveloped areas of the world.

There are three areas of great undeveloped natural resources: Africa, South America, and Asia, but only one has also vast human resources. Africa and South America do not have comparable populations.

Asia has half the population of the world. Hitler understood its importance. Certainly the Russians have demonstrated for 25 years that they understand its importance. The British, the Dutch, the French understand it. The Japanese understood it. That is why they fought so long and hard to get control of the manpower and the resources and the potential markets in China.

Only we Americans, with Asia right in our front door, so to speak, seem seldom to sense the importance to our future of who is to control or what ideas are to dominate in the development of Asia. So, for security reasons and for commercial reasons, we need every possible advantage in the gigantic struggle ahead. Making Hawaii a State would give us a very great advantage.

The third basic reason is the moral consideration. How can we, with any decency or hope of success, talk about people having the right to governments of their own choosing, for example in Eastern Europe, unless we show by our deeds that we believe in it in the Pacific as well.

And the fourth reason I would call ideological considerations, which to my mind are really synonymous with our ultimate security.

Actually our own survival is at stake. Democracy is under attack today. The belief that free man is capable of self-government for sustained periods is under systematic organized assault in the

world as it has not been since the American and the French Revolutions succeeded. And democracy is losing ground. We can see it on every hand.

The people of Asia, up until the middle 1920's or a little later, were definitely moving in the direction of greater freedom and self-government and the democratic pattern. Now they are uncertain. Some are wondering whether they might not have been better off to adopt the racial pattern, which is what Japan tried to force on them—Asia for the Asiatics. Some believe there is no hope for decent treatment from white men; that when white men get in a jam, they will promise everything to get help until they get out of their difficulty—but then they forget their promises.

Some are wondering whether they should not adopt totalitarianism of the Communist pattern. That is the one making the greatest advance both in Europe and in Asia and in my judgment, we cannot successfully combat totalitarianism of the Communist pattern just by calling it names and fighting it defensively.

We have to overcome evil with good. We have to have a better policy, and then we have to do a better job of selling it to the people of the world.

In most parts of the world today the trend is from the status of citizen to the status of subject. We have to reverse that trend and widen the areas where the direction is from subject to citizen.

Hawaii is almost the only place I find right now where we have a chance to give new life to our fundamental faith and beliefs.

I repeat, either democracy will spread or totalitarianism will spread and I hope very much that the Congress will act favorably upon these bills to give this concrete object lesson, this vivid demonstration before the world of the vitality of our democratic faith, the strength of our federation principle of government, by extending to these people who have proved themselves worthy in every reasonable sense the right to become full citizens on the same basis as all the rest of us.

We ought to do this because it is right; but if we do not consider that factor, we ought to do it out of a decent concern for our own well-being in the future.

I do not know of anything to add to the above which I said in 1947. I can see nothing important to lose by granting statehood. I can see a great deal to gain. I am happy that after 12 years of effort the objective is about to be achieved. It will prove to be a good and a wise act.

The CHAIRMAN. The Chair at this time will call attention to the time remaining. The gentleman from New York [Mr. O'BRIEN] has 39 minutes remaining, the gentleman from Washington [Mr. WESTLAND] an hour and 2 minutes.

Mr. WESTLAND. Mr. Chairman, I have only one remaining request for time.

Mr. O'BRIEN of New York. Would the gentleman prefer that I yield now?

Mr. WESTLAND. I would prefer that.

Mr. O'BRIEN of New York. Mr.

Chairman, I yield 17 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, it is my earnest hope that the Members of this House will vote favorably, by large majority, on the momentous question of admitting Hawaii as the 50th member of our Union of States. As a Member of this body from the Deep South—the Fifth District of the great State of Louisiana—I feel that I should avail myself of this opportunity to express my unqualified personal support of statehood for Hawaii and also, I am fully confident, the approval of the people whom it is my honor and privilege to represent in the Congress.

I say to you, that contrary to impressions which are held by some people, both in and out of public life, the majority of the people of the Southland—along with the majority of the citizenship of our entire Nation—are unquestionably for statehood for Hawaii. These same people, notwithstanding the erroneous public assertions that were made otherwise, also were supporters of statehood for Alaska. Our people of the South, where good American citizenship and patriotism are ingrained as a way of life, have warmly welcomed Alaska into our Union of States; and there is no doubt whatsoever in my mind that the welcome to Hawaii will be equally as sincere and complete.

The people of our Southland are vitally interested, and justly so, Mr. Chairman, in the preservation of the constitutional rights of the States of our Union. The thoughtful citizen, not only of the South but of every section of our Nation, realizes full well that the citizens of the new State of Hawaii would also be keenly conscious of the tremendous importance of safeguarding the rights of the States, a status for which they have worked so long and hard.

Mr. Chairman, we hear the same arguments in opposition to admission of Hawaii to the Union as were used against Alaska. The same type of objections were also raised against admitting many of our other great States. But none of these arguments has proved valid, for in every instance of the admission of a new State to the Union, our country has been strengthened immeasurably.

I wish to note that our fellow Americans of the Territory of Hawaii have given their children more years of schooling, have a lower crime rate in every category, pay a higher per capita tax to our Federal Treasury, and have sacrificed proportionately more of their sons and husbands in the last three American wars, than has, for example, the population of my own great State of Louisiana, or many other of the States within the Union.

Furthermore, Mr. Chairman, I believe it is worthwhile to mention that under its constitution, overwhelmingly ratified in 1950, the people of Hawaii have taken this move as a strong protection against communism:

No person who advocates, or who aids or belongs to any party, organization or association which advocate, the overthrow by force or violence of the government of this State, or of the United States, shall be quali-

fied to hold any public office or employment. (Sec. 3, article 14, constitution of the State of Hawaii.)

May I add, Mr. Chairman, that no other American State constitution contains such a protective provision against communism.

Let us recall also that thus far our Nation has fought only one shooting war against Communists—the war in Korea. When that conflict suddenly erupted our Hawaiian troops were geographically closer to Korea and were among the first to see action. All told, more than 12,000 of Hawaii's young men—many of them dock and field workers—enlisted, or were drafted, to fight for the country that denied them representation in the Government that conscripted them.

In the Korean conflict, not one case of cowardice, or of desertion to the enemy, was recorded on the part of a Hawaiian; instead, 426 of them were killed in action, a death toll which was four times as high as the killed-in-action average for the United States as a whole. Almost one thousand other Hawaiians were severely wounded, or captured; yet not one of them was successfully brainwashed by the enemy.

And surely we have not forgotten the valiant record of Hawaii's men at arms in World War II. No fighting men from anywhere ever conducted themselves more valiantly.

Fair play demands, Mr. Chairman, that we admit Hawaii to our Union of States. Enlightened self-interest also demands it.

Is it not unrealistic for Uncle Sam to use one of his hands to lavishly pass out billions of dollars in gifts and guns to other nations of the world in an effort to obtain their loyalties, while he uses the other hand to reject a half million of his own loyal citizens who ask nothing but to be bound more closely to him that they may share, in common with other Americans, all of the privileges and duties and perils of full citizenship?

As it is, even if Hawaii is to be awarded full statehood this year—and I firmly believe that such is to be—historians of the future doubtless will shake their heads in puzzlement over a United States that has wantonly delayed the grant until now. A United States which has permitted 14 golden post-World War II years to slip by without such action, which—had it occurred in 1946 or earlier—would surely have helped retard the spread of communism in the Orient.

But despite the delay, it is heartening to realize that today we are finally awakening to our responsibilities to act with justice toward our fellow Americans in Hawaii, and to strengthen our Union through the practice of intelligent self-interest, as we did last year in the case of Alaska. I hope and trust that we will act positively, with no further delay, to bring the Territory of Hawaii, with its vast wealth of human and natural resources, into full union with our other 49 States.

It is apropos to quote here a statement made by Abraham Lincoln, who said some hundred years ago:

Those who would deny freedom to others do not deserve it for themselves; and, under a just God, they will not retain it.

With all my heart, I believe those words to be true. And believing them to be true, I am convinced that statehood for Hawaii resolves itself, in essence, to this question: Will this Nation, by its action on this issue, turn from or continue to pursue the path which has led it to greatness, and has caused it to be the bright beacon of hope for freedom-loving peoples throughout the world?

Mr. Chairman, if statehood should be denied the deserving Territory of Hawaii through our failure now to close the small remaining gap, then every individual responsible for such a disgraceful occurrence would richly deserve censure of history. For, if this statehood bill should be defeated, we would have failed not only the disfranchised Americans of Hawaii, but we also would have failed to respond to the unmistakable and expressed wishes of a substantial majority of the people we represent.

Never should we forget that the American people are fair-minded; and time and again they have demonstrated that they are wise, wiser by far than is sometimes recognized. I firmly believe that the three out of four Americans who favor statehood for Hawaii do so because they know that the colonial status of the Territory is repugnant to both the letter and the spirit of our form of government; and they know, too, that if "taxation without representation" and "Government without the consent of the governed" were tyrannies 183 years ago, they are equally so today.

The American people also realize, of course, that the free peoples of the world and the evil forces of international communism are locked in a battle to the death for the minds of men; and their sound judgment tells them that we are denying ourselves an important victory in that struggle when we fail to give our Hawaiian citizens their full birthright as American freemen.

Mr. Chairman, I have touched upon but a few of the significant points of the case for Hawaiian statehood. May I add here, however, a very brief summary:

Hawaii was an independent nation, with a king and a queen, until by agreement it became an incorporated Territory of the United States, with a complete understanding that statehood would be granted when the people had become prepared for it.

The Hawaiian is just as much an American as any citizen of any State. The citizen of Hawaii is subject to all the laws of our land, but is without a vote in the Congress.

In per capita income tax payments to the U.S. Treasury, Hawaii ranks about 16th among all the States, paying more income tax on a per capita basis than 32 States of the Nation.

Records show clearly that Hawaii is freer from communism than any State in the Union. The Hawaiian people's patriotism and their love for the American way of life are such that Communists find it very difficult to thrive there.

Hawaii has an educational system as fine as any in the world, outranking any of the States of the Union. Illiteracy

is practically an unknown phenomenon in the islands.

In the history of the whole world, the Japanese-Hawaiian military unit emerged from World War II as the bravest military unit ever to do battle, receiving more medals for valor than any other military unit ever known.

During all the wars in which we have been involved since Hawaii became an incorporated Territory of the United States, Hawaii has always been the first to meet its war bond quota, before any of the States of the Union have done so.

Militarily, on a per capita basis, the Armed Forces enlistments from Hawaii have surpassed those of any State in the Union.

Mr. Chairman, I know the Hawaiian people; I have associated with them. They are fine Americans, for whom full citizenship as members of the Union of States is long overdue.

Just as, throughout the course of our national history, the addition of each new State has made us a better and stronger Nation, so, too, will Hawaii, upon admission to statehood, add its measure of greatness to the whole.

Now, Mr. Chairman, before I conclude, I wish to pay tribute to a great American, a dear personal friend, a fellow Louisianian, a successful businessman, an outstanding citizen, Mr. George H. Lehleitner, of New Orleans. More than any other single individual, either in the Government or out of it, George Lehleitner has been at the forefront in advancing the cause of statehood for both Alaska and Hawaii, and in finally bringing to reality what once was a hope, at times, it seemed, a hope far from fulfillment. But George Lehleitner, New Orleans businessman, outstanding American, became imbued with the ideal of gaining statehood for Hawaii and Alaska while in service as a naval officer, the captain of his ship, during World War II. The fire that was kindled within him then, through his association with the fighting men and the people as a whole of Hawaii and Alaska, has never since flickered. He has given of his very self—his time, his talents, his efforts, his financial means—to carry on the statehood fight, to bring about correction of the injustices resulting from keeping our fellow citizens of Hawaii and Alaska in Territorial status, without the full privileges of citizenship, although bearing all the responsibilities. Last year George Lehleitner saw justice done in the matter of statehood for Alaska; this year, I have no doubt, he will see justice done for Hawaii. He has fought the good fight, and now the victory. America is much the stronger, the better, because of him. For his great and good works, we of the Congress—Americans everywhere, and especially Alaskans and Hawaiians—owe to George Lehleitner a lasting debt of gratitude.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Chairman, on three occasions since it has been my privilege to serve in this House, I have

voted in favor of statehood for Hawaii. Again I shall vote for the bill now pending before us, which would grant such statehood.

On each of the earlier occasions I sincerely believed that Hawaii deserved and was entitled to membership in our sisterhood of States. After hearing the arguments in favor of the pending measure I am more convinced than ever that statehood should be granted. The members of the Committee on Interior and Insular Affairs have presented an ironclad case in support of their proposal. Their arguments are irrefutable. I trust that the measure will be overwhelmingly approved.

Mr. WESTLAND. Mr. Chairman, I yield such time as she may desire, to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, unlike my colleague who spoke just before me, this will be my first opportunity to exercise the privilege of voting for Hawaiian statehood. I am going to be very proud so to do.

I am pleased to be able to add my remarks to those already made on this historic session of the House of Representatives because I believe our Nation needs Hawaii as a State of the Union.

Hawaii is a community of Americans who have proved that East and West can live and work together, in peace and war, under the flag of freedom. I am sure that statehood will be an example before the world of American democracy in action. Hawaii has now passed every test.

The Nation wants Hawaii because public opinion is overwhelmingly in favor of admitting Hawaii into the Union. Numerous congressional hearings have exhaustively investigated Hawaii's fitness for statehood. This body has passed Hawaiian statehood bills many times. The platforms of both political parties have called for an immediate statehood.

I believe Hawaii's 500,000 people have fulfilled the obligation of citizens for more than one-half a century without enjoying all the privileges. They have paid taxes as residents of the States do and have served on battlefronts equally, but have had no voice in either tax or draft legislation and as we are all so aware, taxation without representation violates a basic American precept. Statehood is the expressed will of Hawaii's people, as it is the expressed will of the people of the United States of America. Statehood will be beneficial to us all and I am pleased to go on record as heartily favoring the admission of Hawaii as the 50th State of the United States of America.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, I know that many of my colleagues have expressed misgivings with regard to this bill. Many more have been silently weighing the issues. At one moment they feel that the matter should be delayed another term or two. Further consideration suggests that action

should be taken now. I must admit that I have had misgivings, and that some of them are yet unresolved.

I opposed the Alaska bill last year, and consistency might suggest that I follow the same course on this bill. But sometimes events occur which destroy some of the virtues of consistency. With Alaska, the step has been taken, statehood has become a reality. The action cannot be undone. There is a 49th State, and because of that precedent there is additional argument for a 50th. I shall support the bill, and I believe that there is ample reason for those in this Chamber, this Congress, to support the statehood issue.

Correspondence I have had with constituents leads one to believe that statehood for Alaska has popular approval.

Many arguments are advanced in opposition. The insular nature of the area, its distance from the mainland, the racial composition of the residents, the important position of the ILWU, and Communist influence have all been discussed and proper weight given to their importance.

I am glad to hear assurance from some of our colleagues, Mr. WALTER, Mr. JACKSON, among others, who have made a special study of subversion that statehood may strengthen the hand of loyal Americans by placing upon them full-scale American responsibilities of citizenship. I share that feeling, Mr. Chairman. I feel that statehood will give Hawaii the same completeness of American style of government which has enabled all the States to overthrow undesirable situations arising within them, and to withstand continuous to their existence.

(Mr. HENDERSON asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SIMPSON].

(Mr. SIMPSON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. SIMPSON of Pennsylvania. Mr. Chairman, once again Hawaiian statehood is before the House and once again I rise in its support.

Although we have heard many arguments on both sides of this question, I feel certain that no issue coming before the Congress in recent years has captured the imagination of the American people as has the admission of two new States to our Union. In admitting Alaska last year, the Congress brought to fruition the hopes and dreams of the people of that far northern Territory and stirred in the hearts of many other Americans new dreams of another frontier for our adventurous people.

Mr. Speaker, in acting to admit Hawaii as our 50th State, we can right another wrong and bring to full citizenship some 575,000 people who have met all the obligations of citizenship for more than half a century without its privileges. The admission of Hawaii as a State would provide a dramatic example to the world, and particularly to our friends in the Far East, of American democracy in

action. It would bolster Hawaii's defense role in the Far East and serve notice on the rest of the world that the United States intends to stay in the Pacific.

Hawaii has passed every test for statehood. Congressional committees, Government departments, military leaders, and many, many other groups have taken a close look at the islands and come up with one conclusion: Hawaii is ready for statehood and America is ready for Hawaii.

Since 1941, national surveys have shown that American public opinion is overwhelmingly in favor of admitting Hawaii into the Union. Some 30 national organizations have gone on record in favor of Hawaiian statehood.

The platforms of both political parties urge immediate statehood. Twenty separate congressional hearings have exhaustively investigated Hawaii's fitness for statehood. The House of Representatives has passed statehood bills three times, dating back to 1947.

The American press is nearly unanimous in its support of Hawaiian statehood. Let me cite a few examples from the newspapers in my State which could be multiplied over and over in every State in the Union.

First, Philadelphia Inquirer, February 1:

Surely the time has come when this Territory should follow Alaska into the Union, as our 50th State. Her people deserve it, they very much desire it, and they would be a valuable addition to the United States of America.

Second, Pittsburgh Sun-Telegraph, February 6:

It is illogical and unfair to grant statehood to Alaska and deny it to Hawaii.

Third, Reading Times, January 31:

For we hope by the time the first session of the 86th Congress completes its chores, Hawaii will be the 50th State.

Fourth, Hazelton Standard-Sentinel, February 13:

We need Hawaii as an equal partner as much as Hawaii needs statehood. (Interior Secretary Fred A. Seaton.)

Fifth, Lancaster News, January 4:

It seems incredible that Hawaii can be kept out.

Sixth, Altoona Mirror, February 10:

Let's aid Hawaii. Alaska is over the hurdle. Now it's Hawaii's turn.

Mr. Speaker, these are just a few examples of editorials that have come to my attention in recent weeks. But they demonstrate the overwhelming desire of the American people to bring into the Union this enchanted Pacific paradise whose beauty has overwhelmed its citizens and visitors for generations.

I would like to quote Mark Twain who once visited the islands and 20 years later remembered them in these words:

No alien land in all the world has any deep, strong charm for me but that one; no other land could so longingly and beseechingly haunt me sleeping and waking, through half a lifetime, as that one. * * * Other things leave me, but it abides. * * * For me its balmy airs are always blowing, its summer seas flashing in the sun; the pulsing of its surfbeat is in my ears. * * * In my nos-

trils still lives the breath of flowers that perished 20 years ago.

Mr. Speaker, Hawaii is literally America's "Main Street" in the Pacific. It is a community of Americans who have proved that East and West can live and work and play together, in peace and war, under a flag of freedom which I sincerely hope will very shortly contain 50 stars instead of 49.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SAYLOR] to close debate on this side.

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. SAYLOR. Mr. Chairman, today is a momentous day in American history, because before the sun sets today a condition will exist under the American flag that has not existed since July 1, 1776. On the 1st day of July 1776 in Philadelphia representatives of Thirteen Crown Colonies met in the Continental Congress. On that day the Jefferson resolution was called up. There was a great deal of debate. John Hancock presided until the last Delegate had spoken. He then turned over the chair to a Delegate from Virginia, Mr. Randolph; went over to the group that came from his own Colony and sat with them. Then the clerk of the committee called the roll for the first time of those Thirteen Colonies. It rather ominously began with the New England Colonies: Massachusetts, Rhode Island, Connecticut, New Hampshire, followed by New York, Delaware, Pennsylvania, and others. Is it not strange that today when the roll is called of the 49 States of the Union it begins with Alabama, Alaska, Arizona, Arkansas, California, and Colorado, names unheard of and undreamed of on July 1, 1776? Yet every one of the 36 States that have been admitted to the sisterhood of States from that time has met opposition. But I daresay and I challenge the members of this committee to have one Member of Congress from any one of those 36 States rise in the well of the House and say that when the Congress in its wisdom admitted his State to the sisterhood of States it made a mistake.

It is very interesting to note that even before the Constitution of the United States was adopted by the Thirteen Original Colonies they had granted an organic act to the Territory of Ohio. Two years later they granted an organic act to Tennessee, and State after State from that time down until last year was admitted into the sisterhood of States; and this country has become bigger, and better, and greater because of it.

When we vote in this House later this afternoon to admit the Territory of Hawaii into the sisterhood of States to make it the 50th State of the Union, for the first time in the history of our country, we will not have under the American flag an incorporated Territory.

Yes, Mr. Chairman, this is a momentous occasion. The people who voted against other States have lived to see the error of their ways. I appreciate, and I know that the other members of this committee appreciate the opposi-

tion, and the loyal opposition, of those who have spoken against Hawaiian statehood. But I call upon those who have up until now opposed statehood to see the error of their ways, to rise and support the action of the House Committee on Interior and Insular Affairs, so that this Congress can present to the world a unanimous front, so that when the word goes out this evening over the wires throughout the known world that the United States has added a 50th star to its flag, it will be known that it was done with the unanimous support of all of the Members of the House of Representatives.

Yes; let us not be like a Member of the other body who saw me last night and said, "Do you know, if I had it to do over again, I would have voted for Hawaiian statehood." Today you will have your last opportunity. No other Member of Congress in the foreseeable future will ever have the opportunity that is being presented to you today.

I urge you to support this committee and to make the vote not three to one but overwhelming in favor of Hawaiian statehood.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my chairman.

Mr. ASPINALL. May I, at this time, commend the gentleman for his fine presentation. May I state that throughout the 10 years that I have worked with the gentleman from Pennsylvania his actions have been prompted as he has studied and made judgment on legislation not only by his mind, but also by his heart, and in his statement today, it is the heart of the Congressman from Pennsylvania [Mr. SAYLOR] making this presentation.

Mr. SAYLOR. I thank the gentleman.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Arizona.

Mr. RHODES of Arizona. I want to compliment the gentleman for his fine statement and also I wish to compliment the gentleman for the many years that he has spent working for statehood for Alaska and Hawaii. When I first came to the Congress in 1952, the gentleman from Pennsylvania was chairman of the Subcommittee on Territories and Insular Possessions. He worked very hard in that Congress for statehood, and in every subsequent Congress. He has worked very hard in this Congress. I wish, at this time, to give the gentleman my personal word of congratulations not only to the gentleman from Pennsylvania but to the gentleman from New York and all the other members of the Committee on Interior and Insular Affairs for what I anticipate will be not only a great day for them but for the people in Hawaii as well.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. MEYER].

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. MEYER. I yield.

Mr. ASPINALL. Mr. Chairman, I think it is perfectly fitting that we should now hear from the gentleman from Vermont who has just taken the floor to follow the presentation of the gentleman from Pennsylvania. It is certainly in order, that the gentleman who represents in this House the first State to become a State by admission after the Thirteen Original States had united together under the Constitution of the United States should now state his position.

Mr. MEYER. Mr. Chairman, our Nation had its beginnings in the union of thirteen colonies who ultimately in 1787 drafted and subsequently ratified the Constitution of the United States of America.

In 1791 Vermont became the 14th State and was the first State to be admitted to the Union by a special act of Congress. Prior to its admittance, on January 10, 1791, Vermont had approved the United States Constitution and in presenting to the Congress its case for statehood the commissioners of Vermont said:

They have seen with great satisfaction a new and more perfect union of the people of America, and the unanimity with which they have recently approved the national Constitution manifests their attachment to it, and the zeal with which they desire to participate in its benefits.

And in conclusion they added:

The memorialists on behalf of their constituents most respectfully petition that the Congress will consent to the admission of the State of Vermont, by that name and style, as a new and entire member of the United States.

The petition was granted by act of Congress on February 18, 1791, and on March 4 of that year Vermont was legally admitted as the 14th State of these United States.

One hundred and sixty-eight years have passed since that memorable occasion and our Nation has increased in area, and in stature, and now comprises 49 States. There remains one Territory which desires statehood and which has demonstrated that it is prepared to assume equal partnership in our cherished Union.

I am happy to say that the people of my State have indicated to me that they favor the admission of Hawaii as the 50th State. I am able to enthusiastically express the wishes of those constituents who with rare exception wish to welcome a new star into our galaxy.

It is most appropriate that the Representative of the Green Mountain State—the first petitioners for statehood—should be supporting this proposal. Vermont again looks westward. We want Hawaii to join as full partners in our common destiny.

As I have listened to the arguments against the admission of Hawaii as a State, I recall that probably most of these arguments and many others were used in earlier opposition to the entrance of almost every other State that came in after the Thirteen Original Colonies. I propose that in the final analysis, granting the legitimacy of the opposition, it does not make much difference in the

end. This country has grown and become great because we were willing to admit other States. If we had not seen fit to do so, probably the original Union would no longer endure; and, therefore, I hope that on this historic occasion we will present an overwhelming vote in favor of the admission of Hawaii.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. ULLMAN].

(Mr. ULLMAN asked and was given permission to revise and extend his remarks.)

Mr. ULLMAN. Mr. Chairman, I want to take this time to pay tribute to the distinguished chairman of the full committee and the distinguished chairman of the subcommittee for the fine way in which they have brought this bill before the House. I would also like to commend the other members of the committee, many of whom worked on this legislation for years before I came to this body. And I would like to pay particular tribute to the gentleman who led the opposition in the committee, the gentleman from Texas [Mr. ROGERS] because although he was basically and deeply opposed to this legislation he nevertheless contributed greatly to the perfecting of the bill. He helped write the language that makes this bill one of the finest statehood bills that has ever come before this body.

My good friend the Delegate from Hawaii deserves great commendation for the statesmanlike way in which he handled this matter which has meant so much to him personally and so much to his Territory. When he came here he set a goal, and he worked consistently toward that goal. He did not let temporary changes in the political situation deter him; steadfastly he worked toward his objective. Today marks a tremendous personal victory for the Delegate from Hawaii.

We in Oregon celebrate our hundredth birthday of statehood this year, and I am particularly happy that Hawaii is going to join the Union 100 years following the State of Oregon.

Mr. Chairman, as a sponsor of one of the proposals authorizing Hawaiian statehood, I am pleased that this legislation is now before the House for consideration.

Extensive hearings have been held by the Committee on Interior and Insular Affairs concerning the wisdom of permitting Hawaii to join the Union. I actively participated in those hearings, and I am convinced that now is the time to authorize statehood and thus provide long-overdue equitable treatment for the more than half a million loyal Americans inhabiting the Hawaiian Islands.

Hawaii has long been promised statehood, both by implication and by official action of the Government of the United States. Fifty-nine years ago Hawaii voluntarily surrendered its independence at the urgent invitation of this country. This action between two governments took place in order that Hawaii might be, as officially stated, "incorporated into the United States as an integral part thereof."

It is particularly significant that more than a hundred years ago, in 1854, President Franklin Pierce authorized negotiations to annex Hawaii to the United States. This proposed treaty of 1854 stated that the "Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution to all the rights, privileges, and immunity of a State as aforesaid on a perfect equality with other States of the Union." Though the negotiations were not consummated, their discussion in official circles caused the people of Hawaii to believe statehood was their destiny.

President Andrew Jackson, in his annual message to the 40th Congress on December 19, 1868, in speaking of a reciprocity treaty with Hawaii, said "it would be a guarantee of the good will and forbearance of all nations until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union." Twenty-two years later Hawaii was incorporated into the Union. Since then Hawaii has applied by petitioning Congress for statehood on at least 20 different occasions.

President Harry S. Truman as long ago as January 21, 1946, recommended statehood for Hawaii in his annual message on the state of the Union. He again recommended to Congress that Hawaii be granted statehood when the 81st Congress reconvened.

When the elected leaders of democratic America throughout a hundred-year period officially recommend that Hawaii should be granted State government, it is time the recommendation be fulfilled. In statements of its Members and by action of its committees, Congress itself has caused the people of Hawaii to believe that State government would soon be achieved.

The action taken by Congress is much more than an implied promise; it is the continuation of a policy firmly established by Congress on 29 other occasions when States have been brought from territoriality to statehood. It has been recognized historically that when Congress actively recognizes a Territory as a "part of the United States" and incorporates it into the Union as such, that in itself is a prerequisite to any step in the direction of statehood.

As long ago as 1900, Congress rejected an amendment to the proposed Organic Act for Hawaii which would have provided that Hawaii should not at any time in the future be admitted to statehood. It was during the 56th Congress, 1st session, that Congressman Ebenezer J. Hill, Republican, of Connecticut, during debate on the proposed Organic Act for Hawaii, moved to add an amendment as follows:

Nothing in this act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will at any future time be admitted as a State or attached to any State.

When questioned by a colleague, Congressman Joseph G. Cannon, of Illinois, as to whether or not there was anything

in the bill providing a government for Hawaii which committed Congress to admit Hawaii to statehood, Congressman Hill replied:

I think there is. . . . The American people look upon the authorization and full organization of a Territory as the first step toward statehood. It has always been so construed; it always will be so construed.

The amendment was rejected. But Congressman Hill was correct when he stated:

The American people look upon the authorization and full organization of a Territory as the first step toward statehood.

On February 20, 1900, Senator Morgan, of Alabama, during debate on Hawaii's Organic Act in the Senate, said that when he was in Hawaii, as a member of the McKinley Commission to draft a form of government for Hawaii, he had made a study of Hawaii's experience in government. Following his two visits to Hawaii, he said:

I became satisfied that those people had built up a government that was at least equal in all respects to any government in the American Union.

He then told the U.S. Senate his first proposition to the members of the Commission meeting in Honolulu was that—

We should recommend that the people of the Hawaiian Islands should hold a convention, adopt a constitution, and apply for admission into the American Union.

The last survivor of that group, the late Justice Frear, wrote not long ago to Hawaii's late Delegate to Congress, Joseph R. Farrington, that the five-man commission "did recognize and realize at the time that they were recommending for Hawaii a status which was regarded as leading to statehood."

During the past 20 years Congress has, on a number of occasions, sent its committees to Hawaii to investigate the readiness of Hawaii to attain statehood. Several of these congressional committees have also held statehood hearings in our National Capital. Every year since the end of the war, a congressional committee has recommended immediate statehood for Hawaii. No wonder the half-million people of Hawaii feel that statehood has been promised to them.

From every historical precedent in our dealings with former territories which are now States, the people of Hawaii have had every reason to believe that they would one day attain State government. Statehood for Hawaii has been promised by implication ever since our Nation began to function.

The Continental Congress provided in the ordinance of 1787 for the admission of States. In those days when a territory had 5,000 free male inhabitants, it was granted legislative powers and allowed to have a delegate to Congress; when it had 60,000 inhabitants it was eligible for statehood. Hawaii, today, has over half a million inhabitants—more than any of the other 29 territories had when they attained statehood, excepting only Oklahoma. Yet Hawaii, which has served an apprenticeship of half a century, in contrast to the average of 20 years for all other former territories now States, still lives on in hopes

of having the promises of statehood fulfilled.

The promises of statehood have not only been held out to Hawaii by action of our Government, and by statements of our Presidents, but by the two major political parties of the United States. Both the Democratic and Republican Parties endorse statehood for Hawaii. Those promises to the people of Hawaii must be kept. We must give increasing evidence to the millions of people the world over that democracy works.

The U.S. Congress has a direct obligation to the citizens of Hawaii to grant them statehood. Hawaii was annexed by act of Congress 59 years ago as a part of the Territory of the United States. Congress, in 1900, by enactment of an organic act—in reality a pattern of a State constitution—completed the incorporation of Hawaii as an integral part of the Union. Based on historical precedent, Hawaii has been promised statehood.

Our Supreme Court recognizes the tentative character of Territorial status. The Court in one case before it concluded that—

The organization of governments for the Territories was but temporary, and would be superseded when the Territories become States of the Union.

Thus, three branches of government under our Constitution have by their actions implied or promised State government to Hawaii. Congress has already enacted legislation to admit as States 30 former Territories, including Alaska. A number of our executives, President Eisenhower among them, have endorsed State government for Hawaii. Supreme Court decisions have pointed out that Territorial government was necessarily limited to a period of pupilage.

Let us not delay any longer in granting statehood to our fellow American citizens in Hawaii. Let us keep our promises to the people of the Territory of Hawaii that with maturity will come responsibility. In our modern world Hawaii needs voting representation in Congress. "No taxation without representation" and "No government without the consent of the governed," are axioms as much alive and as important to the people of Hawaii as they were to our forefathers who first conceived them. They can only be made meaningful by the adoption of the legislation now before the House.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. Chairman, as one who supports the cabinet system at the Federal level and who supported the cabinet system for his own State, I welcome the cabinet system experiment reported in the constitution of the State of Hawaii.

As one who supports division of the budget into separate capital and expenditure sections, I welcome the fact that the State of Hawaii has seen fit to so divide its budget, as is indicated in the constitution reported to us today.

As one who has long supported in his own State an automatic constitutional reapportionment of the legislature on a

reasonable population basis, I welcome the inclusion in the Hawaiian Constitution of that feature as reported to us today.

As a first-term Member, I deem it a high privilege to have been sworn into this body on the same day as the gentleman from Alaska [Mr. RIVERS], the first Representative from that State, and I deem it an even higher honor to have the rare privilege and good fortune to be a Member of the Congress which admits the 50th State to the Union.

May I say parenthetically that I have yet to receive the first piece of mail asking me not to vote in favor of statehood for Hawaii. I can recall no occasion in my own State when this question has come up but what the vote, whether in my party or among my friends, was unanimous for the admission of the State of Hawaii into the Union.

As a Member from a mountain State, may I say I am pleased to see the Congress welcome into statehood a most unusual mountain State. We shall be glad to welcome Hawaii into the group of mountain States.

Speaking as a member of the Colorado delegation, I want to pay special tribute to the dean of our delegation, Mr. ASPINALL, the very able chairman of the Committee on Interior and Insular Affairs, for his very fine work in bringing this measure to the floor at this time. As a Member of this body, and I am sure on behalf of all the Members, I congratulate the entire membership of that committee on both sides, not only for the work they have done on the bill and the report, but also for the able presentation we have had today.

As an American citizen I welcome Hawaii into full membership in the family of States.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. GEORGE P. MILLER].

(Mr. GEORGE P. MILLER asked and was given permission to revise and extend his remarks.)

Mr. GEORGE P. MILLER. Mr. Chairman, I rise in support of statehood for Hawaii. I was one of the members of the Larcade Committee a subcommittee of the then Committee of Insular Affairs that in 1946 visited the islands and made one of the most intensive studies on behalf of statehood that has ever been made. I am convinced, as I was then, that Hawaii is more than ready for statehood. She is as capable of governing herself as any of the States in the Union, and this privilege should be accorded her.

At that time we had the privilege of nailing to the mast a number of rumors in reference to subversion, and disloyalty that had been spread during the war. There was no positive evidence to support them.

There is only a small fraction of the people in our States who can be accused of disloyalty or whose political ideals are not the political ideals of the overwhelming number of Americans. If there are any who can claim any State is without such groups, let them stand up.

Hawaii's proportion of such dissidents is no greater than the average.

Surely the people of Hawaii are no different from the people in the other 49 States. They are good American citizens who when called upon have done their bit to sustain this country and who are as proud of that citizenship as you are or I.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I rise in support of this legislation and I want to commend the committee for the fine work they have done in bringing this bill before the House for action today.

It is indeed a pleasure to be able to speak in behalf of Hawaiian statehood. Hawaii has been a Territory of these United States for many years. We have watched her grow and develop a healthy economy. We have watched her sons defend our constitutional liberties on the battlefield. We have watched her blossom into statehood status. Hawaii has come of age, she is fully able to bear her part of the burdens of statehood, and I say it is time we extend to her the benefits of statehood.

It was my privilege to vote for Alaska in the last Congress. I deemed it a high honor to vote for the 49th State and I likewise deem it an honor and a privilege on this historic occasion to cast my vote welcoming Hawaii as the 50th State.

(Mr. RIEHLMAN asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. PIRNIE].

[Mr. PIRNIE addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WIDNALL].

[Mr. WIDNALL addressed the Committee. His remarks will appear hereafter in the Appendix.]

(Mr. WIDNALL asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. UDALL].

(Mr. UDALL asked and was given permission to revise and extend his remarks.)

Mr. UDALL. Mr. Chairman, we are nearing the close of the debate, and I think we all know that this legislation will pass by an overwhelming vote. I think the reason is that we are going to legislate our hopes here and not our fears. Some would have us vote "no" because we fear Harry Bridges, because we fear a little band of Communists, because we fear that these people in this great island—with their wonderful blend of racial strains—cannot govern themselves as other people do, I say that that is no way to legislate. We are going to pass this bill today because we will legislate our hopes. There appears—and I

know all of you have seen it so many times that you probably have committed it to memory—in this great chamber a statement by Daniel Webster high on the wall above the rostrum occupied by the Speaker. It is the only tablet or writing on the walls of this great room. I think that the challenge of Webster's great utterance was placed there as a challenge to us and to all others who will serve here. Let me read it:

Let us develop the resources of our land, call forth its powers, build up its institutions.

This is what we are doing today. We are strengthening our country. We are building up its institutions, I say to you. Further, Daniel Webster said in this statement that if we do these things, quoting again:

We also in our day and generation may perform something worthy to be remembered.

I say that if the 86th Congress does nothing else, when the history books are written, it will be recorded that we were the Congress that enlarged the concept of our Nation and admitted the Territory of Hawaii. So, let us vote yes today because we believe in democracy; vote yes because we believe in strengthening the institutions of our country. This is the reason this legislation will pass, and let us brush aside all the doubts, all the insignificant arguments, and vote for democracy and a strengthened United States.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Chairman, I do not know whether the gentleman has ever made the acquaintance, during the many years of discussion on statehood for Alaska and Hawaii, of a citizen of my State, George Lehlleitner. Mr. Lehlleitner is well known in Alaska, as in Hawaii. I would not want this debate to end without paying tribute to him, because, using his own resources and with complete devotion to the causes of the peoples of these two great areas; I think more than any single individual he has contributed immensely to the historic occasions of statehood for Alaska and Hawaii. I might say also that I personally am proud that a man from my State of Louisiana has made this contribution, because the Louisiana Territory, purchased in 1803, was the first significant development of the United States of America after the Thirteen Original States.

Mr. UDALL. This is a most appropriate comment, and we on the committee know of his magnificent contribution.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, on this historic occasion, I rise to support the legislation which will make Hawaii our 50th State.

Our history is convincing proof that our country has grown not only in size but in strength, vision, and unity with the admission of each succeeding State. As

California, Louisiana, Texas, Alaska, and the remaining States admitted to the Union, opened new vistas to our people, increased our strength and unity and demonstrated the practical application of the words of the Constitution and the Declaration of Independence to the world, so will Hawaii.

My only reservation, occasioned by certain Communist influences, now apparently prevalent, has been resolved by the belief that a grateful people in a surge of patriotism kindled by their admission to the Union will exert the necessary effort to remove this one blemish from an otherwise untarnished record of patriotism, industry, and accomplishment.

I urge my colleagues to vote for the admission of Hawaii as our 50th State and, in the belief that this bill will pass by an overwhelming majority, welcome the people of Hawaii to the Union.

(Mr. CAHILL asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, in connection with the remarks of my distinguished colleague and friend, the gentleman from Louisiana [Mr. BOGGS], I wanted to say that I subscribe to the tribute that he paid to Mr. George Lehlthner, who maintains a home in my congressional district.

I have consistently, as the Members of this House know, opposed this legislation, and I am still opposed to it, and I am going to vote against it. But in this man to whom tribute was paid here we find one who unselfishly has been a great crusader for this cause. He has done everything he could to try to change my position, but whatever he has done has been unselfish, and I think he is entitled to the tribute that my friend has paid him. I respect his views even as I have reason to believe he respects mine. He is a gentleman in every respect and believes in fighting for what he subscribes to.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. WRIGHT].

(Mr. WRIGHT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. WRIGHT. Mr. Chairman, statehood for Hawaii is the redemption of a promise which we made more than 60 years ago.

By granting it, the United States is proving today that we keep our word.

We shall be proving also that we still are motivated by the same principles which gave us birth as a nation when we said that "taxation without representation is tyranny."

For 60 years the proud people of Hawaii have uncomplainingly paid all Federal taxes paid by other Americans, and for 60 years their sons have willingly volunteered and have been conscripted to offer their lives in defense of our country. Yet they have had no voice in the governing of the country.

Today, happily, that fundamental wrong is being righted.

The citizens of Hawaii have fully demonstrated a readiness for full partnership in our American family of States.

The record clearly shows, to their great credit, that they have given their average youngster more years of schooling, have a far lower crime ratio in every category, pay a higher per capita tax to our Federal Treasury, and have sacrificed proportionately a greater number of their sons and husbands to defend freedom in the last three American wars than has the population of the United States as a whole.

For Hawaiians, this has been much more than merely a fight for political equality. It has been an intensely spiritual struggle by a people to demonstrate to their fellow Americans on the mainland, and especially to their own children, and the possession of an oriental or a Polynesian name and face is not of itself a badge of inferiority.

More important than any of this perhaps, we and they are today demonstrating to the world that the system of government we have perfected here in the United States works, not only for Caucasians, but for all of the world's peoples.

What an impact this lesson could have on all of Asia.

So far as Hawaiians themselves are concerned, they have long since proven their own deep and abiding patriotism to the United States.

During World War II, Hawaii's native son battalions endured the heaviest battlefield casualties of any American field unit and justly won the distinction of being the most highly decorated organization in the entire 170 year history of the U.S. armed services.

Many of my very good friends in Texas who served in the 36th Division during World War II owe their lives to the selfless, heroic, and sacrificial patriotic devotion of the men of the 442d Infantry Regimental Combat Team, Hawaiians all, who broke through the enemy lines in Italy during the bitter days of World War II when other units had failed and, at great cost to themselves, provided a rescue for that substantial part of the 36th Division which had found itself trapped and surrounded. No Texan, and no American, should ever forget that act of marvelous heroism.

In the Korean war, our only armed clash as a nation with communism, Hawaiian units were employed heavily in those heartbreaking early days when they, and a pitifully small number of other Americans, gallantly kept us from being pushed off the Korean Peninsula. As a consequence, Hawaii's Korean war deaths were more than four times higher than the U.S. average.

More than 22,000 Hawaiians wore the American uniform in that conflict with communism. Many were killed, and others taken prisoner. Yet the record reveals not a single case of defection or desertion to the enemy. The Communists, with their most fiendish techniques, could never succeed in brainwashing a single one of them.

On every occasion when we have brought in another State as a member of this great American union, the action has precipitated bitter controversy. Always there have been dire predictions. But always those predictions have been proven to have been wrong. Most of the self-same arguments being employed today against Hawaii were employed against the admission of Louisiana, Florida, and Texas.

On the face of the great seal of Hawaii, there is this inscription: "Ua mau ke ea o ka aina i ka pono." Translated, it reads: "The life of a land and its people is preserved by righteousness."

It seems to me that all they ask of us today is righteousness—to be given a voice along with the rest of us in the governing of our common country which levies taxes against them and which takes the lives of their sons to defend our Nation.

To give them anything less would be unworthy of our own history and unworthy of our aspirations as a nation. For, as Abraham Lincoln stated:

Those who would deny freedom to others, do not deserve it themselves. And, under a just God, they will not long retain it.

Mr. O'BRIEN of New York. Mr. Chairman, I yield one minute to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Chairman, when the vote was taken in the Committee on Interior and Insular Affairs on this bill, I was absent. I had accepted an invitation to speak before a group of State Department employees. I was unavoidably delayed. As I have stated to the chairman of the committee, if I had been present I would have voted for granting statehood to Hawaii, with an unqualified and emphatic "Yes."

Mr. O'BRIEN of New York. Mr. Chairman, I yield 4½ minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

(Mr. EDMONDSON asked and was given permission to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Chairman, I consider it the greatest honor I have known in my service in the House to have the privilege of being one of the closing speakers for the committee on this matter of Hawaiian statehood. I had intended to discuss from this well in the closing minutes the issue of communism, but I believe that has been so adequately handled by the distinguished chairman of the Committee on Un-American Activities and by the evidence put before us here today that no further comment is necessary.

To me the most convincing answer to any charge that suggests disloyalty or subversion among the people of Hawaii is their battlefield record in Korea. You cannot look at that record and see what it tells of heroism and loyalty of the Hawaiian soldiers without concluding that here is a people deserving of our trust and confidence. Remember, there has been only one battlefield of the world where American arms thus far have met the challenge of Communist arms, and that was the battlefield of Korea. On that battlefield, with 4½ times as many casualties per unit of

population as the average for other States in this Nation, the people of Hawaii have demonstrated and proved their loyalty and their right to full participation in this Republic.

Three months ago, Mr. Chairman, I walked in the shadows of the walls of the Kremlin with a distinguished young American who is giving his life to the fight against communism. I asked him in the shadow of those walls in Moscow, "What could we in Congress do to contribute most effectively to this worldwide fight against the Communist conspiracy?" I would like to tell you here today that his answer was direct and unequivocal on the question of Hawaii. It was not. He did not say, "Vote statehood for Hawaii." But he did say something that leads to that conclusion. He said, "Give us from the Congress positive and affirmative acts to show the world what democracy means and what it stands for."

That is what we do here today, Mr. Chairman. We give to the world positive and affirmative acts by our votes and by admission of Hawaii to demonstrate to the world that the American dream is not limited to one continent, that the American dream is not limited to people of one particular racial strain or one particular national origin. We say to the world we believe in this American dream and we believe in it for all people who qualify for participation in this Union of States.

We say also to the world that America honors her commitments, that when we enter into a commitment with an incorporated Territory we keep that commitment and we extend to that Territory when it is ready for statehood the mantle of statehood and all that goes with it.

We also say to the world that we are not afraid of communism or the Communist philosophy among the people who know what the American dream stands for. Regardless of our people's racial origin, regardless of their place of birth, we have no fear that they will abandon American principles and American ideals for this Communist philosophy, in the Hawaiian Islands or any place else where statehood is entrusted to a people.

So I say to you today, we have the opportunity here with a positive and affirmative act to spread the glory of the American dream 2,000 miles to the west, and to say to a great people, we admit you to full partnership in this Union. And we are not afraid of the 2,000 miles, either. We know that you can go from Washington to Honolulu in less than 1 day. When this Nation was conceived it took 4 days to travel from Washington to Philadelphia. Today we travel the thousands of miles from here to Hawaii and we do it in less than a day.

We say to the world, "We are citizens of a new age and a new world. We are writing into law, with the new State of Hawaii, a new foundation for our Government and its future that recognizes this new age."

STATEMENT OF CONGRESSMAN B. F. SISK,
12TH DISTRICT, CALIFORNIA

Mr. SISK. Mr. Chairman, as a member of the Committee on Interior and Insular Affairs and of the subcommittee

having jurisdiction over statehood, I am happy today to rise in support of full citizenship for the people who will become our 50th State. As a member of the Territories Subcommittee, I have supported statehood for Hawaii for the past 4 years. That support has been based upon my firm conviction that the residents of the islands were entitled to the full rights and privileges of citizenship. That feeling, however, had been rather an impersonal one based upon my philosophy and hearsay, rather than upon actual knowledge. Last fall, as a member of the special committee heretofore mentioned in this debate, it was my privilege to visit the islands and today my support is based upon a deep personal conviction of the absolute necessity to grant statehood to this area. It was my opportunity to meet and talk to hundreds of people in all walks of life and this led me to the deep conviction that here was a group of people of mature capabilities well able to carry out their duties and responsibilities as a sister State. Because of my contacts with labor unions, business organizations, educational people, religious and social leaders, I am deeply convinced of their awareness of and their ability to cope with the Communist issue in their area.

Allegations of Communist domination in Hawaii are again being injected into the statehood issue as a reason for delaying admission of this Territory into the Union.

I should like to make two points clear with respect to the revival of this line of attack.

The people of Hawaii and their many friends and mainland supporters know this tactic and they are most anxious that it be recognized. Its sole aim is the defeat of pending legislation for Hawaiian statehood.

The people of Hawaii, by vote of their territorial legislature in 1949, requested the House Un-American Activities Committee to come to Hawaii and make an on-the-spot investigation.

The confidence of the people of Hawaii that they would be vindicated was justified by the reports of the committees which followed.

A subcommittee of the House Committee on Un-American Activities subsequently, during April 1950, conducted an investigation of Communist activities in the islands. Upon its conclusion, neither the Democratic chairman, Representative FRANCIS E. WALTER, nor the ranking Republican member found any cause whatever for withholding statehood from the Territory. As recently as the opening weeks of this 86th session of the Congress Representative WALTER voluntarily appeared before the Committee on Interior and Insular Affairs to reaffirm his belief that Hawaii should be granted statehood.

We have never assumed that there were no Communists in Hawaii. To do so would be as dangerous as it would be naive. Hawaii is too important to have been overlooked by the enemies of our way of life. However, the problem of communism in Hawaii is a national problem, just as it is in New York, and in California, and everywhere else in the Nation.

We must not fall into the error of attempting to isolate a whole community of American citizens, and to keep them in isolation, just because there are some Communists among them.

A large number of labor unions are represented by locals in Hawaii. In only one of them, the largest, has there been a question of Communist influence. This is the International Longshoremen's and Warehousemen's Union, headed in San Francisco by Harry Bridges. It has been expelled from the CIO as part of the national organization's campaign against communism. More recently, it was accused of being Communist-dominated by one of its former leaders, Jack Kawano, in testimony before the subcommittee of the House Un-American Activities Committee.

As part of a nationwide roundup of alleged Communist leaders, the Federal Bureau of Investigation in September 1951 arrested seven persons in Hawaii on charges of violating the Smith Act. All seven were indicted by a Federal grand jury composed of Hawaii citizens.

On June 19, 1953, a jury of Hawaii citizens returned a unanimous verdict of guilty against all seven defendants. The fact that the verdict was nullified by the U.S. Supreme Court, does not destroy the importance of this example of Hawaii's ability to handle whatever Communist problem there may be.

It was during the 1949 waterfront strike that the Territory demonstrated most conclusively that it was able to control the effects of a vital labor-management dispute.

During the 1949 dock strike the Territorial legislature was convened in special session. A law was enacted authorizing the Territory to take over the docks and carry on stevedoring operations until the strike was settled. This law remains in effect and Hawaii's legislators have rebuffed efforts by the ILWU to have it repealed.

As a consequence of this strike the Hawaii Residents' Association was formed to carry on an educational program to combat communism. This association has continued its program for almost 10 years, supported by voluntary contributions from Hawaii's people.

In a further demonstration of Hawaii's determination and ability to deal with communism, the legislature established a Territorial commission on subversive activities. This commission serves as an investigating body and issues periodic reports on whatever evidence of lingering communism may be uncovered.

Thus have the people of Hawaii demonstrated their determination to handle their own Communist problem. In this way they have offered further evidence of their loyalty, political maturity and ability to fulfill the added responsibilities of statehood.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. FOLEY. Mr. Chairman, statehood for Hawaii will be recognition, at last, of an old American principle. Those who govern themselves are governed best.

The great progress Hawaii has made, the prosperity of the islands and the

achievements of their community have qualified them for equal status with the States of the Union.

If there are any who doubt the benefits of self-government, I would like to refer them, for contrast, to the Commissioners' recent report to Congress on the state of the Nation's Capitol, the District of Columbia. Its pages make somber reading. Washington, after 85 years of Federal control of local government, is in a serious plight. The cold statistics of the Commissioners' report give a sorry picture of what can happen to a great city without self-government.

And the Commissioners themselves, and some of the Members of Congress most experienced in District affairs, are the first to declare that Washington needs its own local self-government.

My point, Mr. Chairman, is that it is time to examine the state of the District and ask ourselves whether, in good conscience, we can continue to deny the people of Washington the power and opportunity to deal with problems they are now helpless to attack. Look at the facts.

They show that much of the District is being blighted by slums. Higher income families are moving out and are being replaced by low income families unable to bear the tax burden required to run a modern city. Property values are declining and welfare costs are rising.

Decay has set in in the downtown business areas. Retail sales in the District decline while business is booming in nearby Maryland and Virginia.

District Government finances are in trouble and the forecast in years ahead is even darker.

This picture, I submit, is in sharp contrast to the glowing economic health of Hawaii. It cannot be blamed on the voteless citizens of the District. We, not they, have presided over the decay of Washington.

It is true that many cities in this country are struggling with similar problems. But the people of other cities can fight their problems with their powers of self-government, local initiative and local enterprise. The people of Washington are denied even the chance to try to solve their problems.

If 85 years of nonrepresentative government have brought the Nation's Capital to this crisis, I say it is time for a change. Certainly, the people of the District could do no worse. I think they could do a lot better because I have faith in local self-government.

Hawaii has shown what local self-government can accomplish. When the time comes later this session—I hope not much later—let us bestow at least a measure of self-rule and self-respect on the nearly million people of the District by granting home rule.

Mr. DADDARIO. Mr. Chairman, I want to add my voice to those urging immediate passage of this bill to enable Hawaii to become a State. This measure is long overdue. The repeated promises, the repeated efforts that have been made, some by this House, to grant statehood can be crowned today by this effort.

I know of no one in this body with whom I have talked who thinks of this

addition to our flag as a symbol of empire. We have no imperial intentions as we welcome Hawaii to the Union. We have no colonial designs. Instead Hawaii comes in as have 49 before her—agreeing to federate because in union there is strength. Her sovereignty as a State remains as does the sovereignty of all States. Her cooperation as a member of the Union lends strength to her and to this Federal Government.

The facts regarding Hawaii are available to all who have read the excellent report of the committee chaired by the distinguished gentleman from Colorado. I noted, in particular, the fact that Hawaii has a greater population today than any other State—but the original 13 and Oklahoma—had when admitted to the Union. It is larger in area than my own State of Connecticut. While it is true that its territory is not contiguous with the country, neither was California. Neither is Alaska.

The mail I have had from my district is overwhelmingly in favor of admission. Connecticut has historic ties with the Hawaiian Islands. Its people were among the first missionaries to settle there. The ancestor of a former Senator from Connecticut played an important part in its history. More recently, many of Connecticut soldiers who served in the Pacific in World War II had occasion to become familiar with the islands.

I would like to pause briefly to pay tribute to the Hawaiian participation in that war. As one who served in Italy, I am familiar with the record and achievements of the 442d Regimental Combat Team, the famous Go-for-Broke outfit. Their courage, their tenacity, their drive has gone down in the history of the Fifth Army. In the Pacific theater, I am particularly aware of the work done at the Amphibious Landing Training Center on the island of Oahu, where techniques of Pacific assaults were taught to members of divisions staging for combat. I know, of course, of the great bastion at Pearl Harbor and the Army installation at Schofield Barracks that marked this outpost of American defense.

Since 1903, Hawaii has petitioned no less than 17 times for statehood. We have repeatedly promised her the full rights and privileges of statehood. Let us make that pledge good.

Mr. ZABLOCKI. Mr. Chairman, I would like to comment briefly on the legislation before us, to provide statehood for Hawaii.

I have listened carefully and intently to the debate on this bill, both yesterday and today. The testimony and evidence presented leaves little doubt but that the majority of the people of Hawaii desire statehood. They wish to be joined more closely with our Nation. They want to be an integral part of our Nation. They desire to be admitted to the Union as the 50th State.

I have no doubt that the people of Hawaii would prove loyal citizens of such a new State, and loyal citizens of the United States of America. Their past history and past endeavors make that point clear. Further, their ener-

gies and talents, and the resources of their territory, would prove a definite asset to our great Nation.

In spite of these facts which argue strongly for the enactment of the legislation before us, I feel that I should voice certain reservations which have not been dispelled in this debate. These reservations do not cast any reflections upon the people of Hawaii—on their loyalty, their sincerity, or their strong desire to become entirely included in our Nation.

My reservations are based on a simple geographical fact: the fact that the Territory of Hawaii is, and will always remain, separated from our continent by thousands of miles of the Pacific Ocean. The Territory is not contiguous to our country. It has a separate geographical identity. This geographic location of the Hawaiian Islands has certain definite implications as far as the defense and security of the proposed 50th State are concerned.

It is very true that we have already assumed certain responsibility for the security and defense of Hawaii—a responsibility which will continue even if Hawaii should not be granted statehood. The fact remains, however, that—in the admission of Hawaii to statehood—our responsibility in this field will increase, and the discharge of that responsibility may entail problems which we have not encountered to date.

This is the only point that I wanted to stress. I believe that we must face this fact squarely as we vote to admit Hawaii to the Union. To avoid this issue, or to minimize its implications, would be very shortsighted.

Fully conscious of the new responsibilities it will entail, I shall vote for statehood for Hawaii because I believe that the reasons for the enactment of the bill before us outweigh the reasons which argue for another course of action. I sincerely hope that Hawaii, and our entire Nation, will in the long run benefit from this decision.

Mr. SCHWENGEL. Mr. Chairman, there are over 800,000 people living almost in the shadow of our Capitol, the world's greatest symbol of liberty and freedom—who have no voice in shaping the destiny of even their own affairs through self-government. In many States, because of disproportionate representation in State legislatures, many citizens of those States are referred to as second class citizens. In the District of Columbia these 800,000 people are not even citizens—so far as the law and the present situation continues we the people of this great Government, we who proudly refer to our Government as a Government of the people, by the people, and for the people treat these people of the District as children. We Representatives in Congress who are elected to represent our districts are forced to sit as members of a city council or as members of a school board to look after the affairs of people who can and will take care of their own affairs and do it much better than we can, and if we gave them the right of representation here as we should they would give as good an account of themselves in this body as the new Representatives that this new State will send to this body.

Last year we granted the right to vote and representation in this Congress to the people of Alaska who have more territory and less people than any other State in the Union. In fact the election before they voted for the approval of statehood indicated that there were less than 30,000 people who were sufficiently interested in government to vote. We gave these people the right to have two votes in the U.S. Senate and one vote in the U.S. House of Representatives. Three votes in the greatest legislative body in the world.

My question, Mr. Chairman, is this: Is it not more important to give the people in the District a voice in their own government at least than it is to give people in far-off Alaska and in faraway Hawaii the right to be represented here?

These people can truly state that they are worse than second class citizens. They have every right to complain and join the refrain of another day which said, "Taxation without representation is tyranny."

Both Hawaii and the District of Columbia, I sincerely believe, present us with a basic moral issue. It is this—do we have a right and can we justify denying fellow Americans the rights of citizenship—the right to achieve equality? Is it right to ask their sons and daughters to face the enemy and fight with bullets and not give them the right to fight with ballots? It is my feeling that this Congress will and should meet this moral issue so far as Hawaiian statehood is concerned and in doing so I think we accept an equal moral obligation to grant our fellow Americans who live in the District of Columbia the right to at least govern their own local affairs.

Let us now give immediate attention the rights of people of the District of Columbia—who have been voteless much too long—the people of our country will approve and the freedom-loving people of the world will applaud.

Mr. JARMAN. Mr. Chairman, I want to go on record for statehood for Hawaii. Throughout our history three basic requirements have been demanded by tradition and precedent before a State can be admitted into this Union of ours: First, that the inhabitants of the proposed new State be imbued with, and sympathetic toward, the principles of democracy as exemplified in the American form of government; second, that a majority of the electorate desire statehood; third, that the proposed new State have sufficient population and resources to support a State government and to provide its share of the cost of the Federal Government.

With regard to the first requirement, there can be no question that the people of the Hawaiian Islands are thoroughly American. Their wartime record of patriotism leaves no doubt of their loyalty to the mainland, and I am sure my colleagues will agree that this loyalty is most certainly an integral part of our concept of Americanism. Hawaiians, regardless of ancestry, look to the West for guidance and emulation. Whether it be business, education, sports, politics, or mores, the pattern is always unmistakably American. Hawaii is in every way

a mirror of the mainland. It is the showcase of American democracy.

Now, Mr. Chairman, concerning the second requirement that a majority of the electorate desire statehood. The record of Hawaii is quite clear in this respect. In a 1940 plebiscite, her people voted 2 to 1 for statehood. A decade later they approved the proposed State constitution by more than a 3 to 1 majority. More recently, the ratio of approval has jumped from the 3 to 1 ratio in 1946 to an 8 to 1 ratio in August of 1958. The people of the islands desire to participate in the full responsibilities of American citizenship.

Mr. Chairman, the third requirement for statehood—the ability to pay for statehood—poses no problem for Hawaii. The gross Territorial product of Hawaii for 1957 was about 1¼ billion, a figure twice as large as that of any other State at the time of its admission. In 1956 the per capita income exceeded that of 26 States, while the per capita tax burden was higher than that of 33 States.

The Territory is comparatively thickly settled with a population of about 582,000. In fact, Hawaii today has a greater population than that enjoyed at the time of admittance to the Union by any of the States, with the single exception of the State whose Fifth District I represent, Oklahoma.

Mr. Chairman, America was founded, and has grown into the great Nation she now is, on the principles of dealing fairly with all her people and granting equal rights to all those able to fulfill their responsibilities and share in carrying the common burdens. Hawaii has long since served her apprenticeship in the American way of life and the American way of government. She has accepted voluntarily and wholeheartedly our ideas, concepts and methods. Statehood for Hawaii and the obligations State sovereignty will impose on her people will bring the true spirit of liberty to the islands. Hawaii, the window through which all Asia views American democracy, will assume this last challenge with dignity and fortitude.

Mr. LIBONATI. Mr. Chairman, it is a foregone conclusion that H.R. 4221, presently substituted by S. 50, passed by the Senate on March 11, will pass the House by a comfortable margin estimated by good authority as 340 to 66.

The success of the measure was largely a result of the sagacious handling of the legislation by Delegate JOHN BURNS in the 85th Congress. His courage was matched only by his good judgment in acceding to the delay of the Hawaii bill in order to insure the adoption of the Alaska bill.

Under the forceful leadership of the gentleman from New York [Mr. LEO O'BRIEN], the opposition crumbled into total insignificance.

The prophecy that I made on July 31, 1958, relative to the recognition of Hawaii is now, as far as the House is concerned, a reality.

I am proud to insert in the RECORD the prediction that I made at that time together with the merited praise accorded to Delegate BURNS, of Hawaii. I congratulate him on his foresight and leadership:

Mr. LIBONATI. Mr. Speaker, it is my privilege to attest to the sincere efforts of Delegate JOHN BURNS, representing Hawaii, in his laborious and persistent campaign to successfully carry the banner of his constituency into the circle of States.

In spite of the vicious opposition waged against Hawaii's admission, he has always maintained the patient and polite attitude of a gentleman. He earned the confidence and trust of all his colleagues and has demonstrated forensic abilities on the floor and in his committee work that commands the respect and admiration of the Congress and officials of Government.

Personally I am proud to number him among my intimate friends. He has so impressed me—a new Member—with his appeals for the admittance of Hawaii that I sponsored a bill for its admittance.

It is unfortunate that because of a combined effort on the part of several geographical divisions within the congressional membership that the presentment of both Alaska and Hawaii at the same session would, as in the past, sealed their doom.

So that it was the consensus of the opinion of the supporters of both States to delay the Hawaii bill and press for the Alaska bill—after many filibusters and other delaying tactics including some 15 quorum calls and lengthy debate about 3 days—it was purely a set up political stampede.

The treatment of the Alaska bill in the Senate followed the same pattern. And the threat was made that the Hawaii bill's filibustering would make the Alaska job look like a Sunday-school meeting.

Delegate BURNS succumbed to our advice. He could not jeopardize the Hawaii bill—the solid membership of both bodies, northern Democratic stalwarts and pro-Republican State men from the high timber and urban sections of the North, so decided. And they knew what they were talking about.

It has come to our attention that certain political promising wild guessers are blaming Delegate BURNS for the delaying to next session the statehood campaign for Hawaii.

No one was more anxious than Delegate BURNS to go ahead. We decided it for him—and we do the voting.

It will take a full campaign for 3 or 4 months to put over the Hawaii bill, so that means lack of time made the decision necessary. We stand behind Hawaii with an honest and sincere desire to establish her statehood. And we stand behind Delegate BURNS, the finest representative and most popular public servant in the Congress. His return insures the realization of the dreams of every Hawaiian.

Mr. ROBISON. Mr. Chairman, I was privileged last year to cast my vote in favor of statehood for Alaska. I do not wish to repeat here the many valid reasons given by my colleagues in support of statehood now for Hawaii. To my mind those arguments are as compelling today in favor of Hawaii as they were in the last Congress in favor of Alaska.

It is also my belief that an overwhelming majority of the people of my congressional district desire that this Congress extend the long overdue advantages of statehood to the loyal people of Hawaii and that, in view of that fact, I should not consider this question from the standpoint of political or partisan objections, as I fear some of us are tempted to do.

I am particularly impressed with one extremely important result of the action we may be taking here today. Statehood for Hawaii, Mr. Chairman, in my

mind will dramatically demonstrate that the people of the United States both cherish and practice the democratic ideal that our citizens do stand equal before the law regardless of color or creed.

The example of a State of Hawaii will shine in the Pacific for half the world's people to see and compare with the empty promise of equality held out by communism. Let us act now to set such an example.

Mr. METCALF. Mr. Chairman, on this historic occasion in voting statehood for Hawaii our Government is keeping a promise made long ago. Hawaii has waited long and patiently. In some ways this long wait has not been in vain. The State constitution that has been adopted is a model one that might not have been so admirable had Hawaii gained admission earlier. The economy of Hawaii is better able to support a State government, and the voters of our new sister State have a maturity that will enable them to bear their new burdens with poise and their new obligations with dignity.

In the more than 100 years that have elapsed since Hawaiian statehood was first considered; and in the 22 hearings that have been held on that subject, no one man nor any single group of men can be given complete credit for the successful vote that is going to come about at the conclusion of this debate. However, special recognition should be given to a few who have participated in the culmination of Hawaii's long drive for statehood. I join in honoring the gentleman from New York [Mr. O'BRIEN], the chairman of the subcommittee, and the gentleman from Colorado [Mr. ASPINALL], the chairman of the Committee on Interior and Insular Affairs. The gentleman from Pennsylvania [Mr. SAYLOR], the ranking majority member of the Committee on Interior and Insular Affairs, and himself a former chairman of the territorial subcommittee, are the trio whose teamwork has brought this bill to the floor today. On the Senate side, my own senior Senator, Senator MURRAY, of Montana, presided over many of the Interior Committee hearings and committee sessions to bring out the bill in that body.

I join my colleagues in paying tribute to the untiring efforts of Mr. George H. Lehleitner, of New Orleans, who has made statehood for Alaska and Hawaii a personal crusade.

But if any one man is to be singled out for his statesmanship, his tact, his patience and perseverance in the cause whose triumph we are today witnessing, it is Delegate JOHN A. BURNS. Insofar as I know, only the gentleman from Oregon, Mr. ULLMAN, and I, of all the Members of Congress, were born in Montana. However, the delegate from Hawaii also has that great distinction. He was born at Fort Assiniboine in northern Montana. If he desires to represent his new State in the other body he will be the only Member of that body who was born in Montana. If he returns to our side, AL and I will welcome him as the third Montana-born Member of the House of Representatives.

Mr. DOYLE. Mr. Chairman, first, with extreme pleasure I compliment all the members of our Committee on Interior and Insular Affairs, both those who oppose this bill, H.R. 4221, and those who favor it—on both sides of the committee aisle. It is a splendid presentation of the case—both pro and con—that they present us for our important and historymaking decision to be recorded yet this afternoon on a rollcall vote.

As you may readily surmise, I will vote for statehood for Hawaii. I have done so each of the other occasions it has been before us during my dozen years in this great legislative body. I voted during the 85th Congress for statehood for Alaska. I shall vote for the House bill before us now, or if the Senate bill for Hawaii statehood, which passed the U.S. Senate on yesterday afternoon, is substituted for our House bill, I shall vote for that.

Having listened throughout yesterday's several hours of debate, and then again from this morning at 11 a.m. adding this information to that which I obtained at Hawaii when I was there a few years ago officially for one of my House committees, I cannot but conclude that the fair and sound, reasonable action should be to again act affirmatively for its admission into the sisterhood of United States.

I will not now take the time of this committee of the House in general debate to reenumerate the substantial arguments in favor of the admission of Hawaii under this bill, and which arguments I at this time adopt as and for my own; nor, could I do less than compliment those who have debated against the bill for their manifestly well-prepared presentation of their antiphilosophy toward the bill. As this debate comes to a close I observe it as one of the most dignified and best presentations of factual information and summary I have listened to in my more than a dozen years upon this floor.

Furthermore, I know full well that our minds are pretty firmly already made up as to how each of us shall vote in an hour or so from now.

As to the Communist problem existing in Hawaii, which is stated as one of the very major objections to admitting Hawaii into statehood, I call your specific attention to the clear-cut, analytical, factual statement made on this very floor within the hour by the distinguished chairman of the House Committee on Un-American Activities, Mr. WALTER, who although he sat in committee hearings in Hawaii on the subject of communism and became pretty intimately familiar with the problem there existing, took this floor and emphatically urged the passage of this bill. Having been a member of the House Un-American Activities Committee myself for several years now, some of which years he has been the committee chairman, I have never known Mr. WALTER to advocate any congressional move which would mean either the strengthening of, or success for, the Communist philosophy or program. Furthermore, we must not overlook the fact that any of these citizens

of Hawaii can come to the United States of America as American citizens. They are American citizens where they are. They are not aliens in the sense which you and I ordinarily think of a person as being an alien.

Beginning at the time I was a teenager in my high school years I was more proud than otherwise of my Nation because it was designated as "the melting pot of nations." I doubt if I can be successfully contradicted when I now make the observation that probably 90 percent of the Members of this House can trace their ancestry back to parents, grandparents or great grandparents born in foreign countries. Hence the fact of there being many thousands of American citizens of foreign ancestry or lineage in what will be the new State of Hawaii does not destroy my sense of decision that it is in the best interests of our beloved Nation's security, defense and expansion that Hawaii be admitted to full statehood. I shall vote accordingly.

Mr. GALLAGHER. Mr. Chairman, I would like to add some remarks about the memorable occasion of today in which I had the pleasure of participating.

It is an honor to vote for statehood for Hawaii and to participate in this historical moment of the passage of this bill.

This is a living demonstration of democracy in action. It is proof of the vitality of the United States. It is a complete refutation of the Communist lies that we wish to perpetuate colonialism.

It is the fulfillment of the hope that we have long held out to the loyal people of Hawaii. It is the fruition of their dream. It is a complete demonstration of the honor and integrity of the United States.

Pearl Harbor will long be remembered as the point where the infamy of the totalitarians challenged the honor and courage of the United States. History records how we responded to that challenge.

Today, we say to the people of Pearl Harbor and to all Hawaiians that we not only remember Pearl Harbor but that we remember the people of Hawaii and their loyalty to the United States.

This vote today demonstrates that the United States offers more than the hope of freedom to the world. It is proof that the United States of America is synonymous with the word freedom.

Mr. VANIK. Mr. Chairman, I am as happy to cast a vote in support of statehood for Hawaii as I was to cast a similar vote for Alaska last year.

On every count, the people of the Hawaiian Islands have proven their case for statehood.

The admission of these new States is a symbol to the rest of the world that America is still a young Nation and a growing Nation, a United States in which membership comes by the voluntary action and with the consent of both the new States and the old.

As a State, Hawaii will undoubtedly have to meet many problems of adjustment. The concentration of land ownership and the tight reigns on its con-

trol will quite likely become the concern of every American, particularly as Hawaii is drawn more closely to the Union. It will become increasingly difficult for one family to continue to own an island to itself and completely dictate the use of its land or the custom and habits of its people.

During my years in military service, I recall the restrictions which governed any military operations in and about the Island of Niihau, which was owned by one family and continues to be the property of one family today. This type of island proprietorship and matriarchal determination of what is good or bad for the occupants of an island must pass. Undoubtedly the longstanding grip of a few families on the fine and beautiful lands of Hawaii will in a like manner pass after more and more people migrate to the islands and among the islands in search of opportunity for work or pleasant living.

I know that Hawaii will take its proper place among the States and that adjustment to statehood will be quickly made.

The people of Hawaii owe a deep debt of gratitude to Delegate JOHN A. BURNS who worked with great and untiring devotion for the cause of Hawaiian statehood. It is my hope that the people of Hawaii will recognize these efforts as a newly admitted State.

Mr. DANIELS. Mr. Chairman, I am indeed very happy to be a Member of the 86th Congress which will vote upon Senate bill 50 for admission of the State of Hawaii into the Union. It is a great pleasure for me to join with my colleagues in the House in support of this bill. The economy of Hawaii is excellent and the loyalty and patriotism of its people during World War II and the Korean War was excellent, and, in my opinion, is still excellent today.

The people of Hawaii have petitioned the Congress of the United States no less than 17 times since 1903 to become a State of the Union. Hawaii has served its apprenticeship as a Territory longer than any other Territory now a State. These people are not foreigners, they are not Communists; they are people who seek to be brought into the full brotherhood of the Union of our 49 States. These people are imbued with the spirit and principles of our democracy as exemplified in our form of government. The people of this Territory deserve statehood. They are possessed with sufficient resources to support State government, as well as its share of the cost of the Federal Government.

Hawaii has demonstrated in many ways and many times its loyalty to our principles of government. It is my privilege to join with my colleagues of this House to vote for the admission of the State of Hawaii as the 50th State of the Union.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the distinguished Delegate from Hawaii [Mr. BURNS].

(Mr. BURNS of Hawaii asked and was given permission to revise and extend his remarks.)

Mr. BURNS of Hawaii. Mr. Chairman, I should like to thank each and

every member of the Interior Committee, as well as each and every member of the Rules Committee, for his careful and thorough consideration of this present bill, for the time each has given, for the great interest and concern each has displayed. Personally, and on behalf of the people of Hawaii, I want also to express our deep and immense gratitude to those many Congressmen and Senators of both parties and those millions of American people who have worked for and supported Hawaii's efforts to be admitted as a sovereign State in the American Union. We convey, too, our respect to those Congressmen and Senators of both parties, and those citizens of the United States, who, while they have not supported Hawaiian statehood, have taken their stand out of conviction and out of concern for the same welfare of the same United States where we, in Hawaii, believe in and uphold with like conviction and like concern, and which we are convinced Hawaiian statehood will immeasurably advance.

I am proud and humbly thankful to stand here today on the floor of the U.S. House of Representatives as the representative of the people of Hawaii—of whom I am one—and to whom, as an American and as a human being, I owe so much. They are a great people and this is a great Nation. My only sorrow, and I assure you it is a deep one, is that so many of Hawaii's people and so many citizens of the 49 States and their Congressmen share, is that it is still necessary for someone to stand here before you and argue that Hawaii should be admitted as a State in the American Union.

Mr. Chairman, many people have remarked that the single greatest achievement for which the 85th Congress will go down in history was its passage of Alaska statehood. It is my deepest hope, the hope of the nearly 600,000 Hawaiian Americans, the hope of the vast majority of the American people everywhere, that the 86th Congress will go down in history as the Congress which authorized statehood for Hawaii.

Mr. Chairman, I share with many others the intense conviction that there is no more important piece of legislation before this Congress than Hawaii statehood. For passage of Hawaii statehood will usher in a great new era in the Pacific and in the East—in other words, in that area of the world whose astounding recent emergence has already placed in its hands the key to future world peace. Hawaii statehood will assure for America its full opportunity for leadership in the development of this major part of the world as a ground for thriving, free peoples, whose culture will be a strong, fruitful union of East and West. The outlines of this transformation are fast being drawn, and the State of Hawaii would provide a model agency and focal point through which the United States could play its part in shaping the direction of this transformation. Statehood for Hawaii would be our most decisive step to date in assuming this leadership and in opening up in this area a positive, invaluable avenue of approach.

There is no point in trying to elaborate here on Hawaii's many virtues and qual-

ifications, on the many wonderful contributions it can make to our country as a State in the American Union.

What I do wish to point out is that Hawaii has waited long; that committee documents alone are so voluminous it would very likely take several months of sustained work for anyone to read them straight through; that Hawaii—unselfishly—precluded any good chance of its own passage in the last session of Congress to allow Alaska the full, free consideration it certainly deserved; and that Hawaii is willing and able to employ its talents, as a State equally with other States, in helping solve the vast and difficult problems which confront our American democracy in these times above all.

Mr. Chairman, on behalf of Hawaii's people, whom I am most privileged to represent, and who have always believed, and will always believe, that the Congress of the United States will never deviate from its historic effort to foster and secure liberty and self-determination for all its people, I express our earnest hope that this House, today, will enable Hawaii's people to assume their full, unfettered stature as Americans, as mature, responsible bearers of the American heritage in which they so deeply believe and whose ideals they have so wonderfully fulfilled.

The CHAIRMAN: All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of

the Constitution of said State, as provided in section 7, subsection (b) of this Act, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

SEC. 5. (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

(b) Except as provided in subsection (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (c) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session 67 Stat. 462) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. As soon as possible after the enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, and for two Senators and one Representative in Congress. In the first election of Senators from said State the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election and at such elections the officers required to be elected as provided in section 6 shall be chosen by the people. Such elections shall be held, and the qualifi-

cations of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be either the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) Shall Hawaii immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved -----

(Date of approval of this Act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved ----- reserv-

(Date of approval of this Act) ing rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; article XI shall be deemed to include the provisions of section 4 of this Act; and section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language, and section 10 of article XVI shall be deemed amended by inserting the words "at which officers for all state elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected" in lieu of the words "at which officers for all state elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large".

In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon

issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial office in, under, or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico,".

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof of the words "except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof of the words "except in the district of Hawaii where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no writ, action, indictment, cause or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such writ, action, indictment, cause or proceeding shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no writ, action, indictment or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be

appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, as amended, is further amended by striking out paragraph (4) thereof and by renumbering paragraphs (5) and (6) accordingly;

(d) the first paragraph of section 373 of title 28, United States Code, as amended, is further amended by striking out the words "United States District Courts for the districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in office as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting

after "Kure Island" and before "Baker Island" the words "Palmyra Island."

SEC. 15. All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as provided in section 4 of this Act with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States: *Provided*, That, except as herein otherwise provided, a Territorial law enacted by the Congress shall be terminated two years after the date of admission of the State of Hawaii into the Union or upon the effective date of any law enacted by the State of Hawaii which amends or repeals it, whichever may occur first. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of its admission into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

SEC. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (1) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels

of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for Defense or Coast Guard purposes: *Provided, however*, That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

SEC. 17. The next to last sentence of the first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) as amended by section 19 of the Act of July 7, 1958, (72 Stat. 339, 350) is amended by inserting after the word "Alaska" the words "or Hawaii."

SEC. 18. (a) Nothing contained in this Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, or possessions, or is conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or";

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "an island possession or island territory" the words "the State of Hawaii, or".

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, or restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party.

SEC. 20. (a) Section 101(a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a) (36)) is amended by deleting the word "Hawaii,".

(b) Section 212(d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d) (7)) is amended by deleting from the first sentence thereof the word "Hawaii," and by deleting the proviso to said first sentence.

(c) The first sentence of section 310(a) of the Immigration and Nationality Act, as amended (66 Stat. 239, 8 U.S.C. 1421(a), 72 Stat. 351), is further amended by deleting the words "for the Territory of Hawaii, and".

(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 21. Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words "State of Hawaii" for the words "Territory of Hawaii".

SEC. 22. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be affected thereby.

SEC. 23. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Mr. O'BRIEN of New York (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 2, section 2, line 17, strike out the period at the end of the sentence and insert a comma and add: "but all of such areas, lands, and territorial waters together with all other areas, lands, and territorial waters lying or being in the Pacific Ocean and not now constituting any part of the States of California, Oregon, Washington, or Alaska, and which are now or may hereafter come under the jurisdiction of the United States of America may be included, in whole or in part, in the State of Hawaii at any time or times, when a majority of the qualified voters of any congressionally authorized area therein shall vote to become a part of such State of Hawaii."

"(b) The Congress shall have the right to offer a referendum in all or any part or parts of such area and on such terms and conditions and to such voters as it may from time to time decide, but such areas, lands and territorial waters shall never be constituted into another State without the expressed consent of the State of Hawaii and of the United States of America."

Mr. ASPINALL. Mr. Chairman, I make a point of order against the amendment, but I will reserve the right to argue it in order to permit my friend, the gentleman from Texas, to make his statement.

The CHAIRMAN. The gentleman from Colorado reserves the point of order. The Chair recognizes the gentleman from Texas [Mr. POAGE].

(Mr. POAGE asked and was given permission to proceed for 5 additional minutes.)

Mr. POAGE. Mr. Chairman, we have heard a very persuasive argument that the United States should not hold in bondage and should not own as chattel any human beings or as property the territory where other people live. I think that enunciates a rather sound principle. It proclaims on the part of the United States the abandonment of colonialism.

To the extent that this legislation abandons the policy of colonialism, it has worldwide appeal. This bill, however, does not carry that persuasive sug-

gestion to its logical conclusion. It limits to a portion of what was once the Territory of Hawaii, what was once the Kingdom of Hawaii, the area of the new State. It leaves hanging as a part of no State, some portions of that Territory that was once ruled by the royal line of Hawaii. It leaves without any statehood status other islands and territories in the Pacific Ocean over which the American flag flies and over which we claim jurisdiction.

This amendment, if adopted, will provide not for the immediate incorporation of areas that may not presently fit into the organization of the new State, but it does provide an opportunity for the ultimate inclusion of every acre of American territory in the Pacific Ocean to be organized into the State of Hawaii. I see nothing so startling or unfair about that proposition. It seems to me that if you accept, as I will accept, the philosophy that every bit of this area should be organized into the boundaries of a State that we ought to here and now make provision for it. We are told by the proponents of this bill that they too feel that these remote areas should ultimately become a part of the new State, but they suggest that we should not act now.

What is the alternative? Mr. Chairman, there is but one alternative, and that is that we will again meet this issue, and that the time will come when this Congress will again be called upon to organize another state or other states in the Pacific Ocean.

I think it has been well pointed out here today that the Hawaiian Islands have the population, have the resources, have the ability to maintain viable State government. No one has contended, and I do not think anyone will contend, that the small islands to the west and to the south of Hawaii can by themselves be so organized as to have that economic stability needed for statehood. Yet when you exclude them today, you exclude them from any possible future consideration, and your only alternative somewhere down the line is to meet the question of admitting those small islands or part of them as another State in our Union. That is, you must ultimately so admit them or you must forever leave them as the property of a colonial United States.

Frankly, I do not want to have to admit another state. I am prepared to vote to bring Hawaii in as a state of the Union with all of the islands of the Pacific under the American flag along with it, but I want to finish the job. I do not want to leave the door open.

I am not here offering this amendment to destroy this bill; on the contrary, I want here and now to perfect the bill. I am not here trying to prevent Hawaiian statehood. I am trying to prevent a continuation of colonialism. I will accept the policy of anticolonialism for the United States. I wish that it were so easy for some of our friends to accept it. Their problems are often more difficult than ours in this field. I condemn no one. I just want to take advantage of the opportunity which we have today.

Nor do I think that is quite fair to say that we are going to bring Hawaii

into the Union today and that when we need two more votes in the U.S. Senate then we will bring in Samoa or Guam. And if you think that is not going to happen I ask you in all fairness how are you going to bring statehood status to these people on the other islands of the Pacific I ask those who would like to put it off with a smile, how are you going to provide this statehood status for all of the nationals of U.S. territory unless you are prepared to give statehood to those small groups of islands? So, inevitably, Mr. Chairman, we have got to face the question, and now is the time to face it.

There is no purpose in trying to pass just any bill here this afternoon. A bill has already been passed at the other end of the Capitol. We surely have time to consider what actually should be done, and it will take but a few minutes to adopt an amendment. We have got time to do the thing that ought to be done this afternoon and to solve this whole problem at one time. It ought not to be put off. We ought to give to every man who owes allegiance to the American flag the right to be a citizen of a State, of a District or a commonwealth associated with the United States of America.

I hope you will adopt this amendment and make it possible to include within the boundaries of Hawaii all of the American islands in the Pacific, and thereby to take away from this Congress the power to create another state in the Pacific Ocean. I hope the members of the Committee will be willing to accept this amendment.

The CHAIRMAN. For what purpose does the gentleman from Colorado rise?

Mr. ASPINALL. Mr. Chairman, I rise in support of my point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ASPINALL. Mr. Chairman, my point of order is this: Rule 16, clause 7 provides that—

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

This is our familiar rule of germaneness.

The bill with which we are dealing, S. 50, deals with the immediate admission of a new State into the Union, subject only to a proclamation by the President that certain essential conditions precedent have been fulfilled. Subsection (a) of the amendment offered by the gentleman from Texas deals with a different subject. It deals with the enlargement of that State at some indefinite time in the future under totally different circumstances. Moreover, it deals with that subject only in a hypothetical way. It presupposes that some other area will ask to be admitted as part of the State of Hawaii. These proposals are not germane to the subject of the bill before us or to the subject of the section of the bill which it is proposed to amend. And they are of doubtful constitutionality. I read from article IV, section 3 of the Constitution:

SEC. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State

be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

Subsection (b), in addition, anticipates that these island areas may, at some future time, seek to become a separate State. It provides that they may become such if they so vote, and if the State of Hawaii consents, and if the Congress agrees. This situation is entirely foreign to the purposes of S. 50. The amendment is not germane and is contrary to the ruling of Mr. Speaker Orr recorded in 5 Hinds 5529 and Mr. Speaker Carlisle recorded in 5 Hinds 5837.

I shall read the decision by Speaker Carlisle on a bill for the admission of one Territory. The amendment provided also for the admission of several other Territories. It was held not to be germane:

On January 17, 1889, the House was considering a bill of the Senate providing for the admission of the Territory of Dakota into the Union. The consideration of the bill was governed by a special order, which specified that the bill of the House (H.R. 8466) might be offered as a substitute. Instead of this bill, however, there was offered by Mr. William M. Springer, of Illinois, a substitute different in form and containing, with a provision relating to Dakota other provisions providing for the admission of Montana, Washington, and New Mexico.

Mr. Julius C. Burrows, of Michigan, made the point of order that the proposed amendment was not germane.

After debate the Speaker held:

"When the gentleman from Michigan made the point of order, the Chair supposed that the gentleman from Illinois had offered as a substitute the bill H.R. 8466, which is the bill mentioned in the order made by the House. Of course, if the gentleman has not offered that bill, the question which the Chair proposed to submit to the House has not yet arisen. The Chair supposes that a mere technical difference between the two bills would not be material—for instance, a correction of a mere clerical error, or something of that sort. But it seems that the proposed substitute now offered by the gentleman from Illinois contains provisions of a substantial character and not contained in the original House bill. The Chair thinks, therefore, that the order does not apply to it, and believes that in accordance with the practice of the House and its rules, even since the House overruled its own decision in the case of California, that this substitute is not in order under the rules. The Chair holds therefore, that the substitute sent to the desk by the gentleman from Illinois does not come within the terms of the order made by the House, and hence is not in order under the rules and practice of the House."

Mr. Chairman, it has been well said by a distinguished presiding officer of this House that "The fundamental purpose of the amendment must be germane to the fundamental purpose of the bill" (8 Cannon 2911) before the amendment can be considered. This is the test and this is the rule by which the proposed amendment fails.

For these and other reasons—reasons such as the usual rule forbidding enlargement of the scope of a bill by an amendment—see, for instance, 8 Cannon 2913, 2914, 2915, 2918—I object to the amendment that has been offered.

The CHAIRMAN (Mr. KILDAY). May the Chair inquire if the occasion the gentleman referred to, and the decision, was one involving a bill providing for the admission of one State and the substitute provided for the admission of an additional State or additional States?

Mr. ASPINALL. That is correct. It also provided for the determination of the question of statehood over areas which were not in the original bill.

The CHAIRMAN. The Chair thanks the gentleman. The Chair will now hear from the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, basically the amendment which has been offered is one that changes the boundaries of the proposed State of Hawaii. The boundaries of the State of Hawaii are defined in the legislation before us. Certainly it is one of the subject matters presently before this House.

What are the boundaries of the area that we are bringing into the Union? Surely these boundaries are subject to change by amendment. Now, I take it certain of the boundaries may be established on time and certain of the boundaries may be established at a different time so long as it is done by or under the direction of this Congress. That has been done in the amendment. It was done in the case of numerous of the Western States when we did not have actual accurate maps of all of the areas at the time they were admitted. I am under the impression it was done at the time of the admission of the State of Maine. It was done at the time of the admission of the State of Texas. It has been done repeatedly. And, it can be done with the admission of the State of Hawaii.

We are therefore, by this amendment, fixing a different set of boundaries from those that were outlined in the original bill. We are providing that some of those boundaries shall be in effect today; that others of them shall be in effect at future dates upon the happening of future events. I therefore submit that the amendment is in order.

The CHAIRMAN (Mr. KILDAY). The Chair is prepared to rule.

The gentleman from Texas [Mr. POAGE] has offered an amendment which has been read at the Clerk's desk. The gentleman from Colorado [Mr. ASPINALL] has made a point of order against the amendment that it is not germane to the bill.

In ruling on the first portion of the amendment, the Chair will point out that it seeks to add additional language to the last sentence of section 2 of the bill. Section 2 of the bill and the sentence to which it is proposed to add language deals with the boundaries of the new State of Hawaii to be admitted under this bill, and the language of the proposed amendment likewise deals with the boundaries of the State to be admitted. As to paragraph B of the proposed amendment, the Chair would point out that that language would grant to the new State of Hawaii a right over land not included within the boundaries proposed in this bill but land outside of the boundaries, so that it would be granting to the new State of Hawaii

a right over those lands which she does not now possess and would be one of the conditions on which she is admitted.

The Chair is constrained to hold that the amendment is germane to the bill and overrules the point of order.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from New York.

Mr. STRATTON. Before the gentleman speaks in opposition to the amendment, I would like to say, as a colleague of the gentleman from New York, that as we move forward this afternoon toward this historic occasion whereby we give positive evidence to the Communist world that America is indeed still growing, I would like to pay particular tribute to my colleague and friend, the gentleman from New York [Mr. O'BRIEN] for the tremendous job which he has done in steering this bill through the various stages of the legislative process in this House. We in New York State are proud of the gentleman from New York for the job that he is doing in Congress, not only in connection with this bill but also for what he did last year in connection with the incorporation of Alaska into the Union. And we in New York are proud of the constructive and non-partisan leadership which he has demonstrated in this House. I might say that if the gentleman from New York never does anything else in his legislative career—and I know that he will in fact do many more great things here—what he has done in connection with the Hawaii and Alaska statehood legislation will carve for him a real and lasting niche not only in the history of this body but of the Nation.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. Chairman, the Chair has disposed of the germaneness of the amendment offered by the gentleman from Texas. I would like to discuss its merits. May I say quite frankly that while the gentleman indicated he might or even would vote for the statehood bill if the amendment were included therein, as far as I am concerned, the price is entirely too high.

The gentleman testified eloquently and with great ability before our committee. He proposed this very plan that is now before the Committee. It was not offered in committee by a single member of the committee nor was it discussed by the committee itself. It is my honest belief that if you want to kill the statehood bill, here is the test because, in effect, the amendment offered by the gentleman from Texas would bestow upon the Legislature of the new State of Hawaii the biggest legislative broom in history. They could reach out into the Pacific and make part of their State Guam. They could take the Trust Territories. They could have the strangest combinations possible. They would run into a situation where they might assert their right to a Trust Territory at the very moment that it was ceasing to be a Trust Territory. This would be too great a burden for any State to assume, let alone

a new State. I hope that the Committee will reject the amendment.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. POAGE. I believe the gentleman misunderstood the amendment. It does not give Hawaii the right to reach out and bring anything in. It simply says that before you could admit those areas into any other State, the Legislature of Hawaii would have to join in the agreement. It does not bring anything in to Hawaii.

Mr. O'BRIEN of New York. It certainly would give, in a fashion, the new State of Hawaii absolute control over the ultimate destiny, no matter what it might be, of these assorted islands, big and small. We would get into the most confusing international situation that I can imagine if we adopted this amendment.

Mr. POAGE. Mr. Chairman, will the gentleman yield further?

Mr. O'BRIEN of New York. Gladly.

Mr. POAGE. The amendment specifically provides that only the Congress of the United States can submit the referendum to the people of the other islands, and then only that they can become a part of Hawaii. It does not require any action on the part of the Hawaiian Legislature, but if the Congress should decide it wanted to create them into another State, it would have to have the consent of the Hawaiian Legislature, and only in that event. The purpose of that is to prevent the creation of another State, to say that they may be admitted to Hawaii, but not as another State at some future time.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. ASPINALL. I am certain the gentleman did not wish to mislead the Committee. We did have this matter before the committee. It was proposed by the gentleman from New Mexico [Mr. MORRIS]. It was voted upon, and with the exception of two or three votes, it was refused by the committee.

Mr. O'BRIEN of New York. I thank the gentleman. He has refreshed my recollection. I think that makes it even more important to reject this amendment, because it was considered by the committee in Congress with the most intimate knowledge of this area, which has specific jurisdiction of these various areas in a legislative way. They considered the amendment, took into consideration the persuasive ability of the gentleman from Texas, and then voted it down.

I say that we would alter the whole face of this bill if we adopted this amendment.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, the argument just made by the gentleman from New York [Mr. O'BRIEN] in opposition to the amendment offered by the gentleman from Texas [Mr. POAGE] boiled down, is that

it would give Hawaii when admitted altogether too much authority and make it too big in area. Have we learned anything from tradition or history? If we have it is that nations are formed, grow, become so large, expand to such an extent that finally they fade out of the world picture.

In even our domestic affairs we have found it necessary to curb bigness as represented in monopolies.

The last few years this country of ours has been attempting to extend its influence throughout the world to tell the people in all the rest of the world and all the other nations what they should do. Yes, and on occasion what they should think. That is quite a job. It does seem to some that perhaps we should, before we tell other people what to do, set our own house in order—insure freedom in all parts of the world, establish it here.

If freedom of the individual be one of our goals, one of the purposes of our Government, it might be well to consider what has happened here. How the citizen is denied freedom, where freedom of the individual—the exercise of which harmed no one—has, by the U.S. Supreme Court has been denied the individual.

In the Apex Hosiery case, decided by the U.S. Supreme Court on May 27, 1940 (310 U.S. 469), the U.S. Supreme Court, in a suit for damages held that damages were not recoverable by the company from a labor union seeking to unionize the company's employees by violence and destruction of property, because the Sherman Antitrust Act did not apply to unions—that unions were exempt from Federal prosecution under that act.

Chief Justice Hughes, writing a dissenting opinion, concurred in by Mr. Justice McReynolds and Mr. Justice Roberts, among other things said:

When the union demanded a closed shop agreement and, on its refusal, declared the strike, only 8 of the company's 2,500 employees were members of the union. The company's plant was seized and held for several weeks. Its machinery and equipment were "wantonly demolished or damaged to the extent of many thousands of dollars."

There was not merely a stoppage of production, but there was also a deliberate prevention of the shipment of finished goods to customers outside the State.

In the final paragraph of the dissenting opinion, there is this statement:

Once it is decided, as this Court does decide, that the Sherman Act does not except labor unions from its purview, once it is decided, as this Court does decide, that the conduct here shown is not within the immunity conferred by the Clayton Act, the Court, as it seems to me, has no option but to apply the Sherman Act in accordance with its express provisions.

In a case decided the next year—that of *U.S. v. Hutcheson* (312 U.S. 219), the Court held that strikes in restraint of trade, the purpose of which was to enforce a secondary boycott, were held not to be a conspiracy in violation of the Sherman law.

Here, again, Justice Roberts dissenting, and with his opinion Chief Justice Hughes concurred, pointed out that the Court was in error in holding that "be-

cause Congress forbade the issuing of injunctions to restrain certain conduct it intended to repeal the provisions of the Sherman Act authorizing actions at law and criminal prosecutions for the commission of torts and crimes defined by the antitrust laws" and added that the decision was radical legislation by the Court "where Congress has refused to do so."

In the case of *Bradley v. Local Union No. 3* (325 U.S. 797), decided in 1945, the Court, after holding that the Electrical Workers Union, through agreements with employers, had established a monopoly in the sale and servicing of electrical equipment in New York City, referring to the said union, said:

It intended to and did restrain trade and monopolize the supply of electrical equipment in the New York City area to the exclusion of equipment manufactured in and shipped in from other States, and did also control its price and discriminate between its would-be customers.

The Court stated the question this way:

Our problem in this case is therefore a very narrow one—do labor unions violate the Sherman Act when, in order to further their own interests as wage earners, they aid and abet businessmen to do the precise things which that act prohibits?

Among other things, the Court said:

Seldom, if ever, has it been claimed before, that by permitting labor unions to carry on their own activities, Congress intended completely to abdicate its constitutional power to regulate interstate commerce and to empower interested business groups to shift our society from a competitive to a monopolistic economy.

Then, by way of excuse, the Court said:

This, it is argued, brings about a wholly undesirable result—one which leaves labor unions free to engage in conduct which restrains trade. But the desirability of such an exemption of labor unions is a question for the determination of Congress.

Here, again, Justice Roberts dissented, as did Mr. Justice Murphy. Among other things, Justice Roberts wrote—page 814:

Unless I misread the opinion, the union is at liberty to impose every term and condition as shown by the record in this case and to enforce those conditions and procure an agreement from each employer to such conditions by calling strikes, by lockout, and boycott, provided only such employer agrees for himself alone and not in concert with any other.

* * * The course of decision in this Court has now created a situation in which by concerted action, unions may set up a wall around a municipality of millions of inhabitants against importation of any goods if the union is careful to make separate contracts with each employer, and if the union and employers are able to convince the Court that, while all employers have such agreements, each acted independently in making them—this notwithstanding the avowed purpose to exclude goods not made in that city by the members of the union; notwithstanding the fact that the purpose and inevitable result is the stifling of competition in interstate trade and the creation of a monopoly.

By its decision, the Supreme Court of the United States had decided that—page 819:

This court, as a result of its past decisions, is in the predicament that whatever it decides must entail disastrous results.

These three decisions show how the freedom of the citizen has been destroyed by the Court. How a monopoly for certain union members has been established.

Today in New York State you cannot install and get electric equipment serviced so that you can use it unless it is manufactured by employees who belong to one union or serviced by members of a specified union. Why insist on freedom for people of other nations while denying it to our own citizens? That is the situation here in America today. Carry freedom to the people here, but don't linger on the way to dole out a little to the woman or man who, here at home, would like to work without paying tribute to a union boss.

One more example, and I will make it very, very brief. This is one you have heard so much about recently, about the farmer in the Fourth Congressional District of Michigan, Stanley Yankus, who grew and used wheat on land which he owns. What for? So that some producers of cotton, corn, rice, tobacco, peanuts, and wheat might get more for what they had to sell. Taking from one group and giving to another. He did not see a kernel of the wheat he grew. He fed it all to his chickens.

In addition he purchased wheat on the open market. He reduced the surplus. Yet he was fined something like \$5,000.

I know the fate of this bill. But let me tell you what one veteran thinks about freedom here at home. This letter is dated March 3, 1959:

DEAR SIR: Enclosed please find my endorsed World War II disability compensation check. This is to help pay the fine of Stanley Yankus for the crime of being an American. Each month as these checks come in I shall forward them to you for the above purpose, as the present state of justice and government for the people is far more disabled than I.

L. M. KNOWLES.

ROYAL OAK, MICH.

Here is a photostat of the check, for \$19 and some cents, from the disabled veteran:

No. 2,786,012

CLEVELAND, OHIO,

February 28, 1959.

Treasurer of the United States: Pay \$19 to the order of Loren M. Knowles, 1109 East Fifth Street, Royal Oak, Mich.

Regional Disbursing Officer.

(For Stanley Yankus fund.)

When Russia aside from our own country, is the only country is trying to take over the rest of the world, when France, Great Britain, Belgium, and other countries have been relinquishing the authority they had over outlying territory, colonies, why should we follow down the road of bigness and ruin ourselves, fade out as did the nations of other days? Why expand until we fall apart? I cannot go along with a policy which I believe will destroy us as a Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. POAGE].

The amendment was rejected.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the 86th Congress in the passage of this bill will go down in history as an historic Congress, just the

same as the 85th Congress by its passage of the Alaskan statehood bill will always be recorded in history as an historic Congress. So we are going to culminate a very historic event today in the life of our country.

In connection with that, I want to compliment the chairman and all the members on the Committee on Interior and Insular Affairs, not only those who favor the bill but those who oppose it, because those who opposed it did so constructively from their angle, and they did not engage in any dilatory tactics.

I particularly want to compliment the distinguished gentleman from New York [Mr. O'BRIEN] because he, with another distinguished gentleman in the other body, that fine Senator from Montana, "JIM" MURRAY, will go down in history as two men who are the co-authors of two bills admitting States into the Union, Alaska and Hawaii.

The gentleman from New York [Mr. O'BRIEN] and "JIM" MURRAY, and no finer man did God ever make than JIM MURRAY, and that includes the gentleman from New York [Mr. O'BRIEN], will occupy a position in the history of our country, in my opinion, that no other Member of Congress will ever occupy in the future and that no Member has ever occupied in the past. They are the co-authors of bills that became law bringing two separate States into the Union of our country.

I also want to compliment the leadership in the other body for the outstanding manner in which the leadership has acted in bringing about the early passage of this bill in the Senate in a period of about 4 or 5 hours, and also in a period of 2 days bringing about the passage of three important bills—one, the authorization bill in relation to the outer space agency, known as NASA, the extension of the draft, and also the passage of this historic measure. That is the kind of leadership the country needs. The country needs firm leadership, good leadership, progressive-looking leadership, a leadership that recognizes responsibility and rises to the occasion. The kind of leadership that is weak and uncertain is properly subject to criticism, but a leadership that is fair and honest, decent and tolerant, firm and effective, and which produces results is the kind of leadership that should be complimented. I particularly refer to that great leader and great American, the senior Senator from Texas, Mr. JOHNSON.

Mr. Chairman, I rise to compliment the House on the passage of this historic measure and also to pay my respects to the chairman and all the members of this great committee as well as to compliment the other body and the leadership of the other body in the outstanding work that they have done.

[Mr. ROGERS of Texas addressed the Committee. His remarks will appear hereafter in the Appendix.]

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the

Union, reported that that Committee, having had under consideration the bill (S. 50) to provide for the admission of the State of Hawaii into the Union, pursuant to House Resolution 205, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the third reading of the bill.

The bill was read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. PILLION. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. PILLION. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. PILLION moves that the bill S. 50 be recommitted to the Committee on Interior and Insular Affairs.

Mr. KILDAY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. ROGERS of Texas. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. O'BRIEN of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 323, nays 89, not voting 22, as follows:

[Roll No. 11]

YEAS—323

Adair	Brewster	Diggs
Addonizio	Brock	Dingell
Albert	Broomfield	Dollinger
Andersen,	Brown Mo.	Dooley
Minn.	Brown, Ohio	Donohue
Anderson,	Buckley	Dorn, N.Y.
Mont.	Budge	Doyle
Anfuso	Burdick	Dulski
Arends	Burke, Ky.	Durham
Ashley	Burke, Mass.	Dwyer
Aspinall	Bush	Edmondson
Auchincloss	Byrne, Pa.	Everett
Avery	Byrnes, Wis.	Evins
Ayres	Cahill	Fallon
Bailey	Canfield	Farbstein
Baker	Carnahan	Fascell
Baldwin	Carter	Felghan
Barling	Cederberg	Fenton
Barr	Chamberlain	Fino
Barrett	Chelf	Flood
Barry	Chenoweth	Flynn
Bass, N.H.	Chlperfield	Fogarty
Bass, Tenn.	Church	Foley
Bates	Clark	Forand
Baumhart	Coad	Fountain
Becker	Coffin	Friedel
Beckworth	Cohelan	Fulton
Belcher	Collier	Gallagher
Bennett, Fla.	Conte	Garmatz
Bentley	Cook	Gavin
Berry	Corbett	George
Betts	Cramer	Gialmo
Blatnik	Cunningham	Glenn
Boggs	Curtin	Granahan
Boland	Curtis, Mass.	Gray
Bolling	Daddario	Green, Oreg.
Bosch	Daniels	Griffin
Bow	Davis, Tenn.	Griffiths
Bowles	Dawson	Gross
Boykin	Delaney	Gubser
Boyle	Dent	Hagen
Brademas	Derounian	Halleck
Bray	Derwinski	Halpern
Breeding	Devine	Harmon

Hays	Madden	Robison
Healey	Magnuson	Rodino
Hebert	Mailliard	Rogers, Colo.
Hechler	Marshall	Rogers, Fla.
Hemphill	May	Rogers, Mass.
Henderson	Meader	Rooney
Herlong	Morrow	Roosevelt
Hiestand	Metcalf	Rostenkowski
Hoeven	Meyer	Roush
Hogan	Michel	St. George
Holifield	Miller,	Santangelo
Holland	Clement W.	Saund
Holt	Miller,	Saylor
Holtzman	George P.	Schenck
Horan	Miller, N.Y.	Schwengel
Hosmer	Milliken	Scott
Irwin	Minshall	Shelley
Jackson	Mitchell	Sheppard
Jarman	Moeller	Shipley
Jennings	Monagan	Simpson, Ill.
Jensen	Montoya	Simpson, Pa.
Johnson, Calif.	Moorhead	Sisk
Johnson, Colo.	Morgan	Slack
Johnson, Md.	Morris, N. Mex.	Smith, Calif.
Johnson, Wis.	Morris, Okla.	Smith, Iowa
Jones, Mo.	Moss	Spence
Judd	Moulder	Springer
Karsten	Multer	Staggers
Karh	Murphy	Steed
Kasem	Natcher	Stratton
Kastenmeier	Nelsen	Stubblefield
Kearns	Norblad	Sullivan
Kee	O'Brien, Ill.	Teague, Calif.
Keith	O'Brien, N.Y.	Teague, Tex.
Keogh	O'Hara, Ill.	Teller
King, Calif.	O'Hara, Mich.	Thompson, N.J.
King, Utah	O'Konski	Thompson, Tex.
Kirwan	O'Neill	Thomson, Wyo.
Kluczynski	Oliver	Toll
Kowalski	Osmers	Tollefson
Lafore	Ostertag	Udall
Lane	Passman	Ullman
Langen	Pelly	Utt
Lankford	Perkins	Vanik
Latta	Pfost	Van Pelt
Lesinski	Philbin	Van Zandt
Levering	Pirnie	Wainwright
Libonati	Poage	Wallhauser
Lindsay	Porter	Walter
Lipscomb	Powell	Wampler
Loser	Price	Watts
McCormack	Prokop	Weaver
McCulloch	Pucinski	Weis
McDonough	Quie	Westland
McDowell	Quigley	Whitener
McFall	Rabaut	Widnall
McGinley	Randall	Wier
McGovern	Reece, Tenn.	Wilson
McIntire	Rees, Kans.	Withrow
McMillan	Reuss	Wolf
McSween	Rhodes, Ariz.	Wright
Macdonald	Rhodes, Pa.	Yates
Machrowicz	Riehlman	Younger
Mack, Ill.	Rivers, Alaska	Zablocki
Mack, Wash.	Rivers, S.C.	Zelenko

NAYS—89

Abbitt	Gary	Patman
Abernethy	Gathings	Pilcher
Alexander	Grant	Pillion
Alford	Haley	Poff
Alger	Hardy	Polk
Allen	Harris	Prestor
Andrews	Harrison	Rains
Ashmore	Hess	Ray
Barden	Hoffman, Ill.	Riley
Bennett, Mich.	Hoffman, Mich.	Roberts
Blich	Huddleston	Rogers, Tex.
Bonner	Hull	Rutherford
Brooks, La.	Ikard	Scherer
Brooks, Tex.	Johansen	Selden
Brown, Ga.	Jonas	Short
Broyhill	Jones, Ala.	Slakes
Burleson	Kilburn	Siler
Casey	Kilday	Smith, Kans.
Colmer	Kilgore	Smith, Miss.
Cooley	Kitchin	Taber
Dague	Knox	Thomas
Davis, Ga.	Lennon	Thornberry
Dorn, S.C.	Mahon	Trimble
Dowdy	Mason	Vinson
Downing	Matthews	Wharton
Elliott	Mills	Whitten
Fisher	Moore	Williams
Flynt	Mumma	Winstead
Forrester	Murray	Young
Frazier	Norrell	

NOT VOTING—22

Bolton	Dixon	Hargis
Cannon	Ford	Kelly
Celler	Frelinghuysen	Laird
Curtis, Mo.	Green, Pa.	Landrum
Denton	Hall	Martin

Morrison Taylor Tuck
Nix Thompson, La. Willis
Smith, Va.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Martin for, with Mr. Smith of Virginia against.

Mr. Celler for, with Mr. Thompson of Louisiana against.

Mr. Green of Pennsylvania for, with Mr. Willis against.

Mr. Morrison for, with Mr. Landrum against.

Mr. Ford for, with Mr. Tuck against.

Until further notice:

Mrs. Kelly with Mr. Curtis of Missouri.

Mr. Denton with Mrs. Bolton.

Mr. Nix with Mr. Frelinghuysen.

Mr. Hall with Mr. Dixon.

Mr. Hargis with Mr. Laird.

Mr. Cannon with Mr. Taylor.

Mr. DONOHUE changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The bill, H.R. 4221, was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. CANNON. Mr. Speaker, I was in the well and I ask that my name be recorded as voting in the affirmative.

The SPEAKER. The gentleman cannot be recorded after the announcement of the vote unless he voted during the rollcall.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Record be revised. I was standing here in the well.

The SPEAKER. The gentleman cannot be recorded by unanimous consent, if he did not vote. If the gentleman voted and wants to correct the Record and say that he is not recorded, he may do that but he cannot be recorded as voting if he did not vote.

Mr. CANNON. Mr. Speaker, I should have been recorded.

GENERAL LEAVE TO EXTEND

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the Record on the bill, S. 50.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a report on the District of Columbia appropriation bill for the fiscal year 1960.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOW. Mr. Speaker, I reserve all points of order on the bill.

PUERTO RICO, NEXT STATE IN THE UNION?

(Mr. ANFUSO asked and was given permission to address the House for 10 minutes and to revise and extend his remarks at this point in the RECORD.)

Mr. ANFUSO. Mr. Speaker, now that favorable action has been taken by the Congress to admit Hawaii into the Union as the 50th State, I submit the proposal that at the earliest possible occasion Congress should give consideration to the granting of statehood to another U.S. Territory which unquestionably deserves this recognition and meets all the criteria required for statehood. I refer, of course, to Puerto Rico.

Contrary to the prevailing opinion in the United States, a great majority of the people of Puerto Rico believe that the island merits statehood and they advance persuasive arguments in support of their views.

But first I wish to cite some facts about Puerto Rico. Our relationship with the island began in 1898 when Puerto Rico was formally ceded to the United States under the treaty of Paris of that year. In 1900, Congress passed the first organic act reestablishing civil rule in the island and granting to its people the right to protection by the United States, including free trade, tariff protection and financial assistance. In 1917, Congress passed the second organic act granting U.S. citizenship to the people of Puerto Rico. As a result of the latter act, many Puerto Ricans have come to our shores and have become our neighbors.

Puerto Rico is now an autonomous Commonwealth voluntarily associated with the United States. On June 4, 1951, the Congress of the U.S. approved public Law 600 to grant self-government to the people of Puerto Rico. On July 25, 1952, the new Puerto Rican regime was officially proclaimed and a constitution was drawn up setting up the Commonwealth of Puerto Rico.

Mr. Speaker, a paramount reason for the admission of Puerto Rico into the Union is the fact that a number of our legislators in the past, as well as both major political parties, have at various times urged eventual statehood for Puerto Rico. It will interest my colleagues to know that as long ago as March 9, 1900, Senator Lindsay, of Kentucky, declared as follows:

Puerto Rico is essentially an American country. It lies almost within sight of our southern shores; and while its term of territorial probation may necessarily be an extended one, there is no reason, in its geographical situation, in its industries, in its products, or in the character of its inhabitants that precludes it at some future time from being admitted into the Union as an American State.

These words sound almost prophetic today in the light of events.

A second argument in favor of statehood is that the platforms of both the Democratic and Republican parties have in the past on various occasions called for eventual statehood for Puerto Rico. I prefer to believe that these political testimonials were not merely empty gestures but constituted a reflection of the sentiment of the American people.

Third, is the argument based on Puerto Rico's geographic position as it fits into the picture of strategic defense. I should like to ask my colleagues to look at the map of the Western Hemisphere. One of the most striking things as you look at the map is the location of Puerto Rico right in the center as the gateway from the Atlantic to the Caribbean Sea, and directly athwart of the approaches to the Panama Canal. The more you look at that location of Puerto Rico, the more you will become impressed with its strategic location and its major importance to the defense of our country, the Panama Canal, and the whole Western Hemisphere.

Finally, I submit the argument that the admission of Puerto Rico is amply justified by other important considerations, such as its economic growth and development, the adequacy of population, its financial stability, and similar requirements which the island meets most satisfactorily. In population, for example, Puerto Rico is far larger than that of any U.S. Territory at the time of its admission into the Union. According to the census of 1950, Puerto Rico's population at that time was 2,210,703, a figure almost 4½ times as that for Hawaii and more than 17 times as large as that of Alaska.

Puerto Rico's population is equal to or greater than 24 of our States: Maine, Vermont, New Hampshire, Rhode Island, Connecticut, North Dakota, South Dakota, Kansas, Nebraska, Delaware, West Virginia, South Carolina, Mississippi, Arkansas, Oklahoma, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, and Oregon.

The composition of its population should also be of interest to us. The 1950 census lists 1,762,411 whites, 446,948 Negroes, and 1,344 of other races. Puerto Rico's population is further classified as follows: Urban, 894,813; rural, 1,315,890. Thus, it is primarily a rural-agricultural community raising coffee, sugarcane, and other products which are not competitive with those raised on the U.S. mainland.

In the financial and economic spheres, Puerto Rico's progress in recent years has been phenomenal. Some 300 new industries have been established in the island in the past decade. The total annual production of Puerto Rico is over a billion dollars, which is a highly respectable figure for a community chiefly agrarian and small industry, and also compares favorably with the production of many of our States.

As for its trade with the United States and other countries, I cite these figures for the year 1955, as taken from the statistical abstract of the United States:

Puerto Rican imports from the United States, \$548 million.

Puerto Rican imports from other countries, \$53,671,000.

Puerto Rican exports to the United States, \$368,688,000.

Puerto Rican exports to other countries, \$12,982,000.

Total imports, \$601,681,000.

Total exports, \$381,671,000.

By way of comparison, let me cite the figures for Alaska and Hawaii for the

AN ACT

To provide for the admission of the State of Hawaii into the Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the Constitution of said State, as provided in section 7, subsection (b) of this Act, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

SEC. 5. (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions

Hawaii,
statehood.

Territory.

73 Stat. 4.
73 Stat. 5.

Constitution.

Compact
with U.S.
42 Stat. 108.
48 USC 691.

Title to
property.

in those lands and other properties in which the Territory and its subdivisions now hold title.

Land grants.

(b) Except as provided in subsection (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

U.S. property reservation.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

73 Stat. 5.
73 Stat. 6.
Report to
President;
conveyance.

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

Public trust.
Use.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

48 USC 691.

Schools and
colleges.

"Definitions."

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands

and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session, 67 Stat. 462) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. As soon as possible after the enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, and for two Senators and one Representative in Congress. In the first election of Senators from said State the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election and at such elections the officers required to be elected as provided in section 6 shall be chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be either the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) Shall Hawaii immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved _____ reserving rights or powers to the United States, as well as those prescribing the terms or conditions

48 USC 661.

Repeals.

Submerged lands.
43 USC 1301 note, 1331 note.

Certification by President.

73 Stat. 6.
73 Stat. 7.

Election of officers; date, etc.

of the grants of lands or other property therein made to the State of Hawaii are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; article XI shall be deemed to include the provisions of section 4 of this Act; and section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language, and section 10 of article XVI shall be deemed amended by inserting the words "at which officers for all state elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected" in lieu of the words "at which officers for all state elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large".

In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

Certification
of voting
results by
Governor.

73 Stat. 7.
73 Stat. 8.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

Proclamation
by President.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial office in, under, or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

Representative. SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to one Representative until the taking effect of the

next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

Judicial
and criminal
provisions.

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

73 Stat. 8.
73 Stat. 9.

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District for the District of Puerto Rico,".

U.S. District
Court.

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no writ, action, indictment, cause or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts

Continuation
of suits.

shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such writ, action, indictment, cause or proceeding shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no writ, action, indictment or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

73 Stat. 9.
73 Stat. 10.
Appeals.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, as amended, is further amended by striking out paragraph (4) thereof and by renumbering paragraphs (5) and (6) accordingly;

Judicial and
criminal code
provisions.

(d) the first paragraph of section 373 of title 28, United States Code, as amended, is further amended by striking out the words "United States District Courts for the districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in office as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed; Repeal.

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed; Repeal.
73 Stat. 10.

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico"; 73 Stat. 11.

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,".

SEC. 15. All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as provided in section 4 of this Act with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States: *Provided*, That, except as herein otherwise provided, a Territorial law enacted by the Congress shall be terminated two years after the date of admission of the State of Hawaii into the Union or upon the effective date of any law enacted by the State of Hawaii which amends or repeals it, whichever may occur first. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that apply to or within Hawaii at the time of its admission into the

Laws in
effect.

Definitions.

Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

Hawaii National
Park.

16 USC 395.

SEC. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

Military,
naval, etc.,
lands.
73 Stat. 11.
73 Stat. 12.
USC prec.
Title 1.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (i) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the law hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for Defense or Coast Guard purposes: *Provided, however*, That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

Federal Reserve
System.

SEC. 17. The next to last sentence of the first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) as amended by section 19 of the Act of July 7, 1958, (72 Stat. 339, 350) is amended by inserting after the word "Alaska" the words "or Hawaii."

Maritime
matters.

SEC. 18. (a) Nothing contained in this Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports

in the United States, or possessions, or is conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words “an island possession or island territory”, the words “the State of Hawaii, or”; 49 Stat. 1999.

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words “an island possession or island territory”, the words “the State of Hawaii, or”; and 49 Stat. 2003.

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words “an island possession or island territory” the words “the State of Hawaii, or”. 49 Stat. 2011.

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, or restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party. Nationality. 73 Stat. 12. 73 Stat. 13.

SEC. 20. (a) Section 101(a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a) (36)) is amended by deleting the word “Hawaii,”. Immigration and Nationality.

(b) Section 212(d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d) (7)) is amended by deleting from the first sentence thereof the word “Hawaii,” and by deleting the proviso to said first sentence.

(c) The first sentence of section 310(a) of the Immigration and Nationality Act, as amended (66 Stat. 239, 8 U.S.C. 1421(a), 72 Stat. 351) is further amended by deleting the words “for the Territory of Hawaii, and”.

(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 21. Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words “State of Hawaii” for the words “Territory of Hawaii”. 49 USC 425.

SEC. 22. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be affected thereby. Separability clause.

SEC. 23. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed. Repeals.

Approved March 18, 1959.

IMMEDIATE RELEASE

March 18, 1959

James C. Hagerty, Press Secretary to the President

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THE WHITE HOUSE

STATEMENT ON THE SIGNING OF S. 50

MARCH 18, 1959

It has given me great satisfaction to sign the Act providing for the admission of Hawaii into the Union.

Since my inauguration in 1953 I have consistently urged that this legislation be enacted, so the action of the Congress so early in this session is most gratifying.

Under this legislation, the citizens of Hawaii will soon decide whether their Islands shall become our fiftieth State. In so doing, they will demonstrate anew to the world the vitality of the principles of freedom and self-determination -- the principles upon which this Nation was founded 172 years ago.

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PL 86-3

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